INDEX TO VOLUME 14

PAGE

TITLE INDEX TO ARTICLES iv

TITLE INDEX TO MISCELLANEOUS ITEMS v

INDEX OF AUTHORS vi

INDEX TO FEDERAL ESTATE TAX vii

INDEX TO FEDERAL GIFT TAX ix

INDEX TO FEDERAL INCOME TAX x

INDEX TO FOREIGN AND MISCELLANEOUS TAXES xxxv

INDEX TO STATE AND LOCAL TAXES xxxvi

U. S. INTERNAL REVENUE CODE OF 1939 REFERENCE TABLE xxxviii

U. S. INTERNAL REVENUE CODE OF 1954 REFERENCE TABLE xxxix

U. S. TREASURY REGULATIONS REFERENCE TABLES xliv

REGULATIONS UNDER LAWS PRIOR TO THE INTERNAL REVENUE CODE OF 1954 xliv

REGULATIONS UNDER THE INTERNAL REVENUE CODE OF 1954 xliv

REGULATIONS PROPOSED UNDER THE INTERNAL REVENUE CODE OF 1954 xlv

TITLE INDEX TO ARTICLES

PAGE

ADMINISTRATIVE LAW AND JUDICIAL REVIEW OF JEOPARDY ASSESSMENTS UNDER THE INTERNAL REVENUE CODE: *Michael Kaminsky* 545

ADVENTURES IN SUBCHAPTER S AND SECTION 1244: *James A. Moore and Richard C. Sorlien* 453

CANCELLATION OF INDEBTEDNESS AND THE FEDERAL INCOME TAX: A PROBLEM OF CREEPING CONFUSION: *James S. Eustice* 225

FEDERAL INCOME TAX ASPECTS OF OIL AND GAS VENTURES—A SUMMARY FOR THE INVESTOR (FIRST INSTALLMENT): *Alexander Jay Bruen* 353

FEDERAL INCOME TAX ASPECTS OF OIL AND GAS VENTURES—A SUMMARY FOR THE INVESTOR (SECOND INSTALLMENT): *Alexander Jay Bruen* 505

INCOME TAX PROBLEMS OF CORPORATIONS AND SHAREHOLDERS: AMERICAN LAW INSTITUTE PROJECT—AMERICAN BAR ASSOCIATION COMMITTEE STUDY ON LEGISLATIVE REVISION: *Stanley S. Surrey* 1

JUDICIAL REVIEW OF PROPERTY TAX ASSESSMENTS: *Jerome R. Hellerstein* 327

PROPOSED DEFINITIONAL CHANGES IN REORGANIZATIONS: *Edward J. Greene* 155

RECENT DEVELOPMENTS IN THE FIELD OF CORPORATE BUSINESS PURCHASE AGREEMENTS: *James W. Smith* 413

SOME INCOME TAX PROBLEMS INCIDENT TO THE TERMINATION OF A TRUST: *H. Peter Somers* 85

SOME PROPOSED REVISIONS OF THE PROVISIONS OF THE INTERNAL REVENUE CODE GOVERNING THE TAXATION OF DEFERRED COMPENSATION ARRANGEMENTS: *Arthur D. Sporn* 289

SOME TAX ASPECTS OF FOREIGN CURRENCIES: *Burton Raffel* 389

THE LIABILITY OF A LIFE INSURANCE BENEFICIARY FOR THE INSURED'S INCOME TAXES—A POSTSCRIPT ON THE SUPREME COURT'S DECISIONS IN THE STERN AND BESS CASES: *Marcus D. Grayck* 137

THE QUEST FOR TAX EQUALITY FOR PRIVATE PENSION PLANS: A SHORT HISTORY OF THE JENKINS-KEOGH BILL: *Leslie M. Rapp* 55

THE SHORT-TERM TRUST—A RESPECTABLE TAX-SAVING DEVICE: *Harry Yohlin* 109

THE TAX CONVENTIONS BETWEEN THE UNITED STATES AND ITALY: *Alan R. Rado* 203

THE TAX TREATMENT OF EXPENSES INCURRED IN INVESTIGATION FOR A BUSINESS OR CAPITAL INVESTMENT: *Arthur Fleischer, Jr.* 567

TITLE INDEX TO MISCELLANEOUS ITEMS

NOTES PAGE

THE MARRIED WOMAN AND THE FEDERAL INCOME TAX: *Wilfred J. Ritz*..... 437

SELECTED TAX READING (Compiled by Bernard Greisman).....153, 449, 603

(Compiled by Dale Anderson and Melvin Coffee)..... 325

AUTHOR INDEX

PAGE

ANDERSON, DALE AND MELVIN COFFEE: *Selected Tax Reading* 325

BRUEN, ALEXANDER JAY: *Federal Income Tax Aspects of Oil and Gas Ventures—A Summary for the Investor (First Installment)* 353

BRUEN, ALEXANDER JAY: *Federal Income Tax Aspects of Oil and Gas Ventures—A Summary for the Investor (Second Installment)* 505

COFFEE, MELVIN AND DALE ANDERSON: *Selected Tax Reading* 325

EUSTICE, JAMES S.: *Cancellation of Indebtedness and the Federal Income Tax: A Problem of Creeping Confusion* 225

FLEISCHER, ARTHUR, JR.: *The Tax Treatment of Expenses Incurred in Investigation for a Business or Capital Investment* 567

GRAYCK, MARCUS D.: *The Liability of a Life Insurance Beneficiary for the Insured's Income Taxes—A Postscript on the Supreme Court's Decisions in the Stern and Bess Cases* 137

GREENE, EDWARD J.: *Proposed Definitional Changes in Reorganizations* 155

GREISMAN, BERNARD: *Selected Tax Reading* 153, 449, 603

HELLERSTEIN, JEROME R.: *Judicial Review of Property Tax Assessments* 327

KAMINSKY, MICHAEL: *Administrative Law and Judicial Review of Jeopardy Assessments Under the Internal Revenue Code* 545

MOORE, JAMES A. AND RICHARD C. SORLIEN: *Adventures in Subchapter S and Section 1244* 453

RADO, ALAN R.: *The Tax Conventions Between the United States and Italy* 203

RAFFEL, BURTON: *Some Tax Aspects of Foreign Currencies* 389

RAPP, LESLIE M.: *The Quest for Tax Equality for Private Pension Plans: A Short History of the Jenkins-Keogh Bill* 55

RITZ, WILFRED J.: *The Married Woman and the Federal Income Tax* 437

SMITH, JAMES W.: *Recent Developments in the Field of Corporate Business Purchase Agreements* 413

SOMERS, H. PETER: *Some Income Tax Problems Incident to the Termination of a Trust* 85

SORLIEN, RICHARD C. AND JAMES A. MOORE: *Adventures in Subchapter S and Section 1244* 453

SPORN, ARTHUR D.: *Some Proposed Revisions of the Provisions of the Internal Revenue Code Governing the Taxation of Deferred Compensation Arrangements* 289

SURREY, STANLEY S.: *Income Tax Problems of Corporations and Shareholders: American Law Institute Tax Project—American Bar Association Committee Study on Legislative Revision* 1

YOHLIN, HARRY: *The Short-Term Trust—A Respectable Tax-Saving Device* 109

INDEX TO FEDERAL ESTATE TAX

PAGE

ADMINISTRATIVE LAW
See Federal Income Tax: Administrative Law

AGREEMENTS
See Restrictive Agreements

ANNUITIES
joint and survivor—employee benefits under 1939 v. 1954 Code.... 310, 312

ASSESSMENT AND COLLECTION
See Federal Income Tax: Assessment and Collection

BUY AND SELL AGREEMENTS
See Restrictive Agreements

CONTEMPLATION OF DEATH
gifts within three years of decease.. 134
short term trusts..... 134

DEATH DUTIES
credit under treaties..... 223

DEDUCTIONS
See also Marital Deductions
death tax credit—U.S.-Italy convention 223

DOMICILE
Italy-U.S. death tax convention determination 221
situs of property..... 222

EMPLOYEE BENEFITS
See Gross Estate

ESTATE TAX
blocked income 403

EXEMPTIONS
U.S.-Italy death tax convention.... 223

FOREIGN ESTATE TAX CREDIT
See Treaties

GOOD WILL
situs under treaties..... 222

GROSS ESTATE
See also Contemplation of Death, Life Insurance, Life Interest Retained, Marital Deduction, Transfers Taking Effect at Death
blocked income 403
employee benefits
employee's irrevocable right to designate beneficiary 295

PAGE

GROSS ESTATE—continued
employee benefits—continued
exclusion of amounts paid to designated beneficiary under qualified plans 309
joint and survivor annuities—treatment under 1939 and 1954 Codes compared....310, 312
qualified v. unqualified plan payments—treatment under 1939 and 1954 Codes compared... 310
retirement income, endowment or life insurance contracts—excludability 314

INTER VIVOS TRANSFERS
See Annuities, Contemplation of Death, Transfers Taking Effect at Death, Trusts

JEOPARDY ASSESSMENTS
See Federal Income Tax: Assessment and Collection

JUDICIAL REVIEW
See Federal Income Tax: Judicial Review

LIFE INSURANCE
employee benefits—excludability... 314
named beneficiary—liability for income tax of insured..... 137

LIFETIME TRANSFERS
See Annuities, Contemplation of Death, Transfers Taking Effect at Death, Trusts

PENSION AND PROFIT-SHARING PLANS
See Gross Estate

RESTRICTIVE AGREEMENTS
binding covenant to sell..... 433
buy-sell arrangements 433
effectiveness in determining value.. 433

REVERSIONARY INTERESTS
See Transfers Taking Effect at Death

TRANSFERS TAKING EFFECT AT DEATH
reversionary interests—short term trusts 133
valuation — reversionary interests after short term trusts..... 133

PAGE

TREATIES
- credit mechanism 223
- situs
  - bonds 222
  - copyrights, franchises, licenses... 222
  - debts 222
  - corporate stocks 222
  - good will 222
  - notes and bills of exchange..... 222
  - patents, trademarks, designs.... 222
  - ships, aircraft and shares thereof 222
- U.S.-Italy death tax conventions.... 203
  - domicile determination 221
  - situs rules 221
  - specific exemption 223
  - summary of major provisions.... 220
  - taxes included 220

PAGE

TRUSTS
- short term—term unrelated to grantor's death 133

VALUATION
- blocked currency—official v. free exchange rate 409
- effectiveness of restrictive agreements in determining value... 433
- income rights in short term trusts.. 133
- small business corporation (Subchapter S) stock..... 470
- stock—effect of corporate business purchase agreements.....413, 433
- stock of closely held corporations... 433

INDEX TO FEDERAL GIFT TAX

ADMINISTRATIVE LAW PAGE
See Federal Income Tax: Administrative Law

ASSESSMENT AND COLLECTION
See Federal Income Tax: Assessment and Collection

ANNUAL EXCLUSION
gifts to minors 133
transfers to short term trusts 133
trusts—current payment of income v. accumulation 133

BLOCKED CURRENCY
See Gifts

DEDUCTIONS
See Marital Deduction

EMPLOYEE BENEFITS
See Gifts

EXCLUSION
See Annual Exclusion

EXEMPTION
short term trusts 132
lifetime 132

FUTURE INTERESTS
gifts to minors 133

GIFTS PAGE
See also Trusts
blocked currency—valuation 409
employee benefits—election to designate beneficiary under qualified plan 314
spouse to spouse 133

HUSBAND AND WIFE
marital deduction 133

JEOPARDY ASSESSMENTS
See Federal Income Tax: Assessment and Collection

MARITAL DEDUCTION
gifts to spouse 133
short term trusts 133

MINORS
annual exclusion for gifts to 133

TRUSTS
short term
gift tax implications 132
valuation 132

VALUATION
blocked currency 409
transfers to short term trusts 132

INDEX TO FEDERAL INCOME TAX

ABANDONMENT — PAGE
elements
identifiable event 513
specific act 513
worthlessness during taxable year 513
fee interests 514
leases 513
measure of loss..... 513
nature of loss..... 513
oil and gas interests..... 513

ACCOUNTING AND ACCOUNTING METHODS
See also Accounting Period, Bad Debts, Cash Basis, Installment Sales, Net Worth Method
sales of property involving creation of a liability..... 227

ACCOUNTING PERIOD
See also Bad Debts, Carryovers and Carrybacks, Constructive Receipt, Foreign Currency and Exchange, Income in Respect of Decedents, Net Operating Loss Carryovers and Carrybacks, Realization of Income or Loss
cancellation or discharge of indebtedness at discount..... 229
dividends of small business corporations (Subchapter S).....428, 463
partnerships—adoption and change of taxable years..... 372
trusts—death of life tenant..... 99

ACCUMULATED EARNINGS TAX
business needs
accumulation to acquire unrelated business 575, 576
accumulation to redeem interests of 2 of 3 shareholders—*Pelton Steel* case 426, 434
burden of proof—statement of taxpayer furnished 426
insurance on life of shareholder—*Emeloid* case 425
redemption of stock of deceased holder from insurance proceeds 425
small business corporation provisions (Subchapter S)—effect of insurance proceeds on earnings 430

ADMINISTRATIVE LAW
See also Assessment and Collection, Judicial Review, Practice and Procedure, Tax Court

PAGE
ADMINISTRATIVE LAW—continued
Administrative Procedure Act—review of jeopardy determinations 563
impetus for creation of Board of Tax Appeals 548
injunction against collection
prohibition 549, 551, 554
Standard Nut Margarine Co. case 551
jeopardy assessments
agency control—rule of law..... 550
applicability of Administrative Procedure Act to "jeopardy" determinations 563
decision to proceed as "agency action" 547
legality of tax v. legality of determination relating to tax.. 551, 560
procedure as exercise of plenary power v. collection device.... 561
reviewability of "jeopardy" adjudication 557
stay of sale of seized property pending Tax Court decision.. 549
judicial review of jeopardy assessments under the Code..... 545

AMERICAN LAW INSTITUTE PROPOSALS
cancellation of indebtedness..... 270
corporate reorganizations — definitional changes 1, 19, 155
corporations and stockholders—study on income tax revision..... 1

AMORTIZATION
See also Depreciation
corporate organization expenses.... 595

ASSESSMENT AND COLLECTION
See also Deficiencies, Liens, Practice and Procedure, Returns, Transferee Liability
assessment—effect on question of tax liability 546
collection assistance—U.S.-Italy Tax Convention 219, 220
deficiencies—restrictions after petition to Tax Court..... 554
injunction against collection...548, 549
jeopardy assessment
applicability of Administrative Procedure Act to "jeopardy" determinations 563
authority 546, 555

ASSESSMENT AND COLLECTION—continued PAGE
jeopardy assessment—continued
decision to proceed as "agency action" 547
effect on substantive question of liability 546
injunction against 553, 554
judicial review 545
stay of sale of seized property pending Tax Court decision.. 549
summary collection 545, 546
when available 546
Tax Court—review prior to collection 547

ASSIGNMENT OF INCOME
oil and gas interests—sale of production payment out of larger interest 521
trust as assignee..... 132

ASSOCIATIONS TAXABLE AS CORPORATIONS
See also Corporations
corporate resemblance test—*Morrissey* case 364
limited partnerships 367
oil and gas ventures
joint 369
trusts 363

ATTORNEYS
deductibility of bar review course and admittance fees..... 571

ATTRIBUTION OF INCOME
See also Constructive Receipt
small business corporations (Subchapter S) 360, 428, 455

ATTRIBUTION OF OWNERSHIP
See Constructive Ownership

AVERAGING DEVICES
See also Carryovers and Carrybacks
private pension plans—Jenkins-Keogh bill 55

BAD DEBTS
See also Cancellation or Discharge of Indebtedness, Indebtedness
promoter—debts incident to trade or business 577

BANKRUPTCY
realization of income by debtor
corporate reorganizations—Chandler Act 254
discharge 247
wage earners' plans..... 257

BASIS OF PROPERTY PAGE
assets used in trade or business—basis reduction on debt cancellation 276
corporate reorganizations
adjustments—"C" transaction.. 177, 178, 181
proposed changes 167, 169, 181
reduction of basis—problems under Bankruptcy Act..... 254
insolvency — assets transferred where debt cancelled....265, 267
depletion 511, 515, 516
distribution in kind by trust to remainderman 106
elective exclusion and basis adjustment on debt cancellation.... 257, 263, 274, 276, 281
encumbered property—cancellation or discharge of indebtedness.. 226, 237
oil and gas interests—adjustment for percentage depletion and capitalized items 515, 516
property of like kind received in tax-free exchange.....525, 526
purchase money mortgage — discharge of obligation where no personal liability 237
purchase price of property adjusted 245
stock—capital contributions based on cancelled indebtedness..... 251
small business corporations (Subchapter S)....360, 361, 428, 429, 430, 464, 474, 475, 477, 478

BENEFICIARIES
See also Estates, Life Insurance, Trusts
aged relatives—trusts..... 112
pension and profit-sharing plans—tax treatment 299
purchase of endowment policies by trust for beneficiary..... 111
short-term trusts 109

BOARD OF TAX APPEALS
See Tax Court

BLOCKED CURRENCY
See Foreign Currency and Exchange

BLOCKED INCOME
See Foreign Currency and Exchange

BONDS
See also Inadequate Capitalization, Indebtedness
corporate purchase of own obligations at discount.....228, 229, 231

BURDEN OF PROOF PAGE
accumulated earnings tax..... 426
blocked foreign exchange—convertibility 402
transferee liability 147

BUSINESS
See also Business Purpose, Corporations, Expenses, Partners and Partnerships, Restrictive Agreements, Sale of Business
investigatory expenses
capitalization after successful search 585, 594
critique of Code section as applied to search outlays..... 577
critique of "existing interest" requirement 581
deductibility as loss from transaction entered into for profit 584
deductibility as non-business expenditure—relation to production or collection of income 580
deduction as incurred in trade or business 568
deduction by those in a trade or business 573
denial of trade or business status to search activity..... 568
existing interest in income-producing property 580
existing interest in property—analysis of statute and legislative history.....581, 582
incident to existing business—corporations 575, 577, 578
incident to existing business—discrimination against individuals 577, 578
incident to existing business—examples 573
incident to existing business—individuals 576, 577, 578
incident to existing business—promoter 577
incident to existing business—proximate relation...575, 576, 584
incident to existing business—small business corporation (Subchapter S) 578
incident to existing business—unwarranted economic distinction 579
motive for entry into transaction 585, 592, 593
not incident to existing business—*Duryea* case 574
profit transaction loss—actual entrance requirement.....585, 587

BUSINESS—continued PAGE
investigatory expenses—continued
profit transaction loss—arbitrary nature of actual entrance test 588
profit transaction loss—argument for deduction under present law 597
profit transaction loss—critique of actual entrance test..... 587
profit transaction loss—discriminatory effects of actual entrance test 588
profit transaction loss—frustration of legislative purpose by actual entrance test..... 587
profit transaction loss—possible justification for actual entrance test 592
profit transaction loss—small business corporations (Subchapter S) 590
profit transaction loss—suggested broadening of transaction concept 593
relationship to capital expenditures 585, 594
Revenue Ruling 57-418—entry into transaction and abandonment 585
search as trade or business..... 568
search related to existing business 568, 572, 573
tax treatment 567
small business corporations (Subchapter S) 359, 427, 455

BUSINESS PURCHASE AGREEMENTS
See Restrictive Agreements

BUSINESS PURPOSE
corporate divisions 10
corporate reorganizations
Gregory case 187
insolvency 268
insurance on life of shareholder—*Emeloid* case 425

BUY AND SELL AGREEMENTS
See Restrictive Agreements

CANCELLATION OR DISCHARGE OF INDEBTEDNESS
acquisition or disposition of encumbered property 226
American Law Institute proposals.. 270
amounts owed by subsidiary to parent 279
assets not increased on creation of debt 243
capital contribution by shareholder 250, 273

CANCELLATION OR DISCHARGE OF INDEBTEDNESS—continued PAGE
distributions in kind by corporations 279, 281, 283
income tax effect to debtor—discharge at less than amount due 225
legislative solutions 253
liabilities—effect on basis and amount realized 226
realization of income by debtor
adjustment of purchase price—basis reduction 245
adjustment of purchase price—debt reduced in direct negotiations 244
administrative history (1918–1931)—judicial rejection of taxability 228
American Chicle Co. case..... 229
American Law Institute proposals 270
amount—how measured 232
appreciated capital assets transferred in discharge of unsecured liability.....234, 238, 272
bonds purchased at discount..228, 229
capital contribution by shareholder-creditor—basis of stock..... 251
capital contribution by shareholder-creditor—gratuitous v. non-gratuitous 250, 273
capital contribution by shareholder-creditor—non-principal debts 250
classification of income..... 231
complete liquidation of corporate debtor 281
constructive receipt—discharge by third person 226
continuation of liability in different form 238
corporate reorganizations—basis reduction 254
corporate reorganizations—Chandler Act 254
corporate reorganizations—insolvent railroads 264, 277
debt connected with property in trade or business—elective exclusion and basis reduction.. 276
debt interest exchanged for equity—subscription price theory.. 240, 253
debt interest exchanged for equity—substitution of liability theory 239
debtor as shareholder of corporation—dividend equivalence.. 235, 273, 283
debtor-lessor—rental income 236
discharge by payment in money.. 231
discharge of another's obligation 226, 237

CANCELLATION OR DISCHARGE OF INDEBTEDNESS—continued PAGE
realization of income by debtor—continued
discharged liability traceable to increment in debtor's assets.. 243
donative cancellation — business situations 248
donative cancellation—*American Dental* case 249, 253
donative cancellation—natural object of creditor's bounty.... 248
economic benefit through reduction of liability at profit.... 228
elective exclusion and basis adjustment..257, 263, 274, 276, 281
evalaution of 1954 Code provisions —remedial proposals 284
exceptions to *Kirby* doctrine..... 236
financial condition of debtor.... 246, 254, 270, 273, 280
foreclosure by mortgagee..... 232
Fulton Gold doctrine.....237, 238
initial receipt of consideration for incurrence of liability..... 243
insolvency—bankruptcy 247, 254
insolvency—before and after discharge 247, 253
insolvency—debtor made solvent by discharge 247
insolvency reorganizations—other than railroads 267, 277
insolvent railroad reorganizations —adjustments within original entity 264, 278
insolvent railroad reorganizations —reorganizations through successor entity 265, 277
insolvent railroad reorganizations —substituted basis of assets transferred 265
involuntary transfer of mortgaged property 232
judicial erosion of the *Kirby* doctrine 236
judicial recognition of income... 229
Kerbaugh Empire case 229, 243
Kirby Lumber case.....229, 235, 236, 237, 240, 241, 243, 252, 254, 255, 257, 270
liquidation of subsidiary — upstream debts 279
motive test—*Jacobson* case..... 249
nature of consideration used to discharge 231
nature of obligation discharged—definition of indebtedness... 236
nature of obligation discharged—liquidated and undisputed requirement 237

CANCELLATION OR DISCHARGE OF INDEBTEDNESS—continued PAGE
realization of income by debtor—continued
nature of obligation discharged—personal liability absent..226, 237
nature of obligation discharged—taxpayer's personal debt requirement 237
new stock or obligations issued in place of the old obligations 238, 241
partner's obligation cancelled by partnership 236
personal liability absent—reduction of basis..... 237
purchase money obligation discharged—liability not personal 235
purchase money obligation revised downward—personal liability absent 237
reduction of liabilities at profit as taxable event 229
reduction of loss exception—borrowed funds dissipated..... 242
services performed by the debtor 235, 274, 276
tax benefit aspects.....252, 274, 285
tax-free liquidation of controlled debtor-subsidiary 279
time income realized.....230, 241
tort liability compromise..... 244
transfer by payment of property other than money..... 232
transfer of property securing obligation—mortgages 232
treatment under 1954 Code..... 276
unliquidated debt discharged by transfer in kind..... 235
use of debtor's stock to effectuate discharge 238
use of other obligations of corporate debtor to effectuate discharge 241
voluntary conveyance by mortgagor—nature of gain or loss 234
voluntary conveyance by mortgagor—personal v. non-personal obligation 233
voluntary transfer of encumbered property 233, 273
reduction or cancellation of liability at gain or profit..... 225

CAPITAL ASSETS
oil and gas interests..... 517
transfer in discharge of liability.. 234, 238, 272

CAPITAL CONTRIBUTIONS
See also Transfers to Controlled Corporations

CAPITAL CONTRIBUTIONS— PAGE
continued
cancellation of indebtedness by shareholder 250, 273

CAPITAL GAINS AND LOSSES
alternative tax—effect of excess expenses 526
appreciated assets transferred in discharge of liability....234, 238, 272
corporations and stockholders—proposed income tax changes..... 1
excess deductions in oil and gas ventures — availability against capital gains 526
gains—small business corporation (Subchapter S) distributions.. 360, 428, 461, 478
losses
carryovers 530
joint return—*Janney* case..... 444
small business corporations (Subchapter S) 361, 480
lump-sum or employer's securities distributions by pension and profit-sharing plans..299, 302, 304
mortgagor on foreclosure or voluntary conveyance 232, 233
oil and gas interests..... 517
retirement of corporate obligations 232
small business corporation (Section 1244) stock losses..... 489
trusts
gains realized between life tenant's death and termination 88, 90
realized gains of final year..... 93
short term—to whom taxable.... 119

CARRYOVERS AND CARRYBACKS
See also Corporate Acquisitions to avoid Tax, Net Operating Loss Carryovers and Carrybacks
tax-free corporate transfers—carryover of tax attributes..... 21
trusts—carryovers of losses and excess deductions on termination 87

CASH BASIS
sales of property for a liability.... 227

CHARITABLE CONTRIBUTIONS
deduction allowed for gift of Section 306 stock—proposed changes.. 5
oil and gas interests..... 524
pledge satisfied at a discount—realization of income by donor.... 244
Section 306 stock—proposed changes 5
short-term trust as substitute..... 116
two-year trusts 113

COLLAPSIBLE CORPORATIONS
nature 15
oil and gas ventures—applicability of Code provisions..... 357

COLLAPSIBLE CORPORATIONS— continued PAGE
- proposed changes in tax treatment—ALI-ABA study 15
- sale of stock or liquidation..15, 387, 483
- small business corporations (Subchapter S)
  - sales of Section 1231 assets..... 483
  - use to avoid collapsible designation 483

COMMUNITY PROPERTY
- liability for tax
  - attribution to wife of share of estranged husband's community income 439
  - wife 438

COMPENSATION FOR PERSONAL SERVICES
- **See also Employees, Employers, Pension and Profit-Sharing Plans**
- performed in discharge of indebtedness 235, 274, 276
- treaties 217

COMPROMISES
- tort or accommodation endorser liability—realization of income by debtor 244

CONSOLIDATIONS
- **See Corporate Reorganizations, Mergers**

CONSTRUCTIVE OWNERSHIP
- stock
  - attribution under 1954 Code..50, 422
  - receipt of complete share by beneficiary from estate..... 423
  - surviving stockholder as beneficiary of decedent's estate.... 422

CONSTRUCTIVE RECEIPT
- **See also Realization of Income or Loss**
- blocked foreign income..... 402
- discharge of debtor's obligation by third person 226

CORPORATE ACQUISITIONS TO AVOID TAX
- operating losses present—proposed changes in treatment..... 32
- purpose of acquisition..... 38

CORPORATE CONTRACTIONS
- **See Redemptions of Stock**

CORPORATE DISTRIBUTIONS
- **See Corporate Divisions, Corporate Liquidations, Corporate Reorganizations, Dividends, Dividends in Kind, Earnings and Profits, Redemptions of Stock, Stock Dividends, Tax-Free Subsidiary Liquidations**

CORPORATE DIVISIONS PAGE
- **See also Corporate Reorganizations**
- active business—five-year operational period 10, 189
- bailout potentialities 10
- business purpose 10
- "D" reorganizations — proposed changes 183, 192
- device for distribution of earnings purpose 10, 189
- proposed changes in tax treatment —ALI-ABA study 9
- similarity to stock redemptions and partial liquidations 9
- small business corporations (Subchapter S)—spin-off preliminary to election..... 482
- spin-offs, split-offs and split-ups.. 186, 189, 193, 482
- statutory pattern under 1954 Code.. 188

CORPORATE LIQUIDATIONS
- **See also Dividends, Dividends in Kind, Redemptions of Stock, Tax-Free Subsidiary Liquidations**
- collapsible
  - oil and gas ventures..... 357
  - proposed changes 15
  - purpose of statutory provisions.. 483
- complete
  - cancellation of indebtedness at bargain 281
  - proposed changes in tax treatment 13, 14
- distributions in kind—cancellation of corporate indebtedness..... 281
- proposed changes—ALI-ABA study 1
- reincorporation after dissolution... 30, 191, 198, 424

CORPORATE ORGANIZATION
- **See Corporate Reorganizations, Corporations, Transfers to Controlled Corporations**

CORPORATE REORGANIZATIONS
- **See also Corporate Divisions, Corporate Liquidations, Mergers, Redemptions of Stock, Stock Dividends**
- "A" transactions
  - continuity of interest..... 156
  - definition—proposed changes.155, 156
  - "acquiring corporation"—proposed definition 171
- acquisition of assets or stock....19, 28
- ALI-ABA study 1, 19
- "B" transactions
  - basis—proposed changes 167, 169
  - boot problems 159, 163
  - cash receipt as disqualifying.... 159
  - control requirements 158, 169
  - historical development 157
  - nature of consideration—continuity of interest.....157, 161

PAGE

CORPORATE REORGANIZATIONS—
continued
"B" transactions—continued
party to a reorganization—proposed changes 171
present statutory requisites..... 158
proposed definitional changes.... 160
step transactions 160
transfer to subsidiary of stock or property acquired 171
basis
adjustments in "B" transactions 167, 169
boot
"B" transactions — proposed changes 163
"C" transactions — proposed changes 176
problems under proposed changes 164, 177
proposed changes ..29, 190, 194, 197, 200
tax treatment 164
business purpose 187, 268
"C" transactions
assumption of liabilities by transferee 172, 177
assumption of liabilities of transferor by parent 173
basis adjustments 177, 178, 181
boot—proposed changes 176
continuity of interest.....172, 174
historical development 172
proposed definitional changes.... 174
"substantially all assets" requirement 173, 181
carryover of tax attributes of transferor 21
continuity of interest
"B" transactions 158, 161
"C" transactions — proposed changes 172, 174
"D" transactions 183
insolvency 268
proposed changes — ALI-ABA study 20
statutory mergers or consolidations 156
"D" transactions
boot—proposed changes.....189, 190, 197, 200
business purpose doctrine..... 187
continuity of interest.....184, 186
control requirements 184
nature of consideration..... 184
non-recognition of gain to shareholders 186
proposed changes in tax treatment 30
reincorporation after liquidation —proposed changes 191, 198

PAGE

CORPORATE REORGANIZATIONS—
continued
"D" transactions—continued
scope of definition — proposed changes 192
spin-offs and split-offs..... 186
split-ups 186, 189, 193
definition—proposed changes..... 155
equity interest substituted for debt —applicability of reorganization provisions 239
Groman and *Bashford* cases—proposed changes in application.. 170, 173, 182, 201
insolvency
applicability of "business purpose" and "continuity of interest" tests 268
assumption of liabilities..... 269
basis reduction on cancellation of indebtedness 254
other than railroads—meaning of reorganization 267
other than railroads—recognition of gain or loss..... 267
railroads — adjustments within original entity 264, 278
railroads—reorganization through successor entity 265, 277
railroads—substituted basis of assets transferred where debt cancelled 265
realization of income by debtor entity under Chandler Act on debt cancellation 254
merger or consolidation under state or federal law..... 155
proposed changes 1, 19, 155
reincorporation after liquidation... 30, 191, 198, 424
securities
bailout—excess amount received.. 49
dividend treatment 49
stock substitution—small business corporations (Section 1244)... 498
transfer to subsidiary of stock or property acquired 171, 173
unifying transactions — proposed changes 19

CORPORATIONS
See also Accumulated Earnings Tax, Associations Taxable as Corporations, Business Purpose, Capital Contributions, Carryovers and Carrybacks, Constructive Ownership, Corporate Acquisitions to Avoid Tax, Corporate Divisions, Corporate Liquidations, Corporate Reorganizations, Dividends, Dividends in Kind, Dividends Received Credit or Exclusion,

CORPORATIONS—continued PAGE
Earnings and Profits, Foreign Corporations, Inadequate Capitalization, Mergers, Net Operating Loss Carryovers and Carrybacks, Personal Holding Companies, Redemptions of Stock, Shareholders, Small Business Corporations (Section 1244), Small Business Corporations (Subchapter S), Stock Dividends, Tax-Exempt Organizations, Tax-Free Exchanges, Tax-Free Subsidiary Liquidations, Transfers to Controlled Corporations
business purchase agreements..... 413
cancellation or discharge of indebtedness 225
"cost company"—oil and gas ventures 361
expenses incurred in investigating for business or capital investment 567
equity interest substituted for debt —realization of income..... 239
multiple entities
acquisitions to avoid tax..... 38
disallowance of surtax exemption or earnings credit..... 38
proposed changes in tax treatment 38
oil and gas interests..... 355
organization expenses—amortization 595
proposed changes in income tax treatment 1
small business investment companies 455

COST OF GOODS SOLD
purchases abroad—foreign currencies 389

DEALERS
determination of status..... 518
foreign exchange transactions..389, 392
oil and gas interests.....516, 517

DECEDENTS
See also Estates, Income in Respect of Decedents
life tenant of trust—amount includible in final return..... 99
losses of small business corporation (Subchapter S) in final return 474

DEDUCTIONS
See also Amortization, Bad Debts, Charitable Contributions, Corporations, Depletion, Depreciation, Employees, Employers, Expenses, Losses, Pension and Profit-Sharing Plans, Trusts, Worthlessness
business—limitation in case of continuous deficits 530
expenses incurred in investigation for business or capital investment 567

DEDUCTIONS—continued PAGE
investigatory expenses as loss from transaction entered into for profit 584
joint returns—*Taft* case..... 444
trusts—treatment on termination... 94

DEFERRED COMPENSATION
See Pension and Profit-Sharing Plans

DEFICIENCIES
See Assessment and Collection, Judicial Review

DEPLETION
See also Oil and Gas Interests
aggregation—oil and gas interests.. 375
cost
basis 511
computation — determination of unit cost 511
estimates of recoverable amounts 511
economic interest
agreement to pay percentage of production or net profits from tract 507
identification of owners..... 507
O'Donnell case 507
ownership of property..... 506
part of sales price payable from production 507
processor—*Bankline Oil Co.* case 508
production payments 521, 522
foreign ventures 538, 541
investigation expenses 594, 595
limitation on amount..... 506
oil and gas interests..... 506
percentage
advance royalty recouped in current year 509
bonus amortization 509
election to aggregate operating interests 510
excess over cost—small business corporations (Subchapter S) 361, 464
gross income—operating v. non-operating interests 508
limitation on amount...374, 375, 506, 508, 509
processing or transportation before sale 508, 509
sale of oil and gas property—determination of adjusted basis 515
separate computation for each property requirement..... 509
taxable income determination... 509
property defined 506
royalties 507
theory 506
unitization or pooling..... 536
who may deduct..... 506

DEPRECIATION PAGE
See also Amortization, Depletion
equipment costs—oil and gas ventures 387
expenses incurred in investigation for business or capital investment 594, 595
foreign ventures 538
oil and gas interests
improvements—equipment ...387, 511
unitization or pooling..... 536

DISCHARGE OF OBLIGATION
See Cancellation or Discharge of Indebtedness

DISSOLUTION
See Corporate Liquidations, Tax-Free Subsidiary Liquidations

DIVIDENDS
See also Corporate Divisions, Corporate Liquidations, Corporate Reorganizations, Dividends in Kind, Dividends Received Credit or Exclusion, Earnings and Profits, Redemptions of Stock, Small Business Corporations (Subchapter S), Stock Dividends
cancellation of shareholder's indebtedness 235, 273
foreign corporations 539
life insurance paid by corporation —possible distribution to surviving stockholders 417
premiums on insurance on life of shareholder 414
proposed changes—ALI-ABA study 1
stock purchase agreements—possible distribution to surviving shareholders 417
U.S.-Italy tax convention..... 212

DIVIDENDS IN KIND
See also Dividends
small business corporation (Subchapter S) distributions..... 479

DIVIDENDS RECEIVED CREDIT OR EXCLUSION
foreign corporation distributions...539
small business corporation (Subchapter S) distributions...360, 463
U.S.-Italy tax convention..... 214

EARNINGS AND PROFITS
See Accumulated Earnings Tax, Dividends, Dividends in Kind
life insurance proceeds or tax-exempt income 425, 430, 464
percentage depletion in excess of cost 356, 361, 464
small business corporations (Subchapter S) 359, 428, 463

EDUCATION PAGE
deductibility of expenses..... 571

ELECTIONS
deferment of tax on blocked foreign income 405
oil and gas interests—option to expense intangible drilling and development costs 380
small business corporations (Subchapter S) 359, 427, 455

EMPLOYEE BENEFIT PLANS
See Pension and Profit-Sharing Plans

EMPLOYEES
See also Compensation for Personal Services, Pension and Profit-Sharing Plans
bankruptcy—tax relief under "wage earners' plans" 257
deductibility of cost of seeking employment 570, 572
pension and profit-sharing plans—tax treatment 299

EMPLOYERS
deductibility of contributions to pension and profit-sharing plans.. 292, 294

ENFORCEMENT
See Assessment and Collection, Fraud, Liens

ESTATE PLANNING
See also Tax Planning
short-term trusts 109
two-year charitable trusts.....113, 116

ESTATES
distributable net income—trusts v. estates on termination..... 88

EVIDENCE
See Burden of Proof, Net Worth Method

EXCLUSIONS FROM GROSS INCOME
See also Dividends Received Credit or Exclusion
pension and profit-sharing plans—payments to designated beneficiary 309

EXECUTORS AND ADMINISTRATORS
See Estates

EXEMPT ORGANIZATIONS
See Tax-Exempt Organizations

EXEMPTIONS
See also Exclusions from Gross Income, Tax-Exempt Organizations
short term trusts—use to increase 111, 118

EXPENSES PAGE
See also Deductions
amounts incurred in investigation for business or capital investment 567
bar review course and admittance fees 571
business
availability of excess amounts from oil and gas ventures against capital gains..... 526
contributions by employer to pension and profit-sharing plans 290, 292, 294
critique of Code section as applied to investigatory expenditures 577
denial of trade or business status to search activity..... 569
investigatory expenditures—critique of "existing interest" requirement 581
limitations on deductions in case of continuous deficits..... 530
meaning of "pursuit"..... 569
ordinary and necessary amounts paid or incurred..... 568
proximate relation to business.. 575, 576, 584
traveling expense away from home 568, 569
corporate organization 595
election campaign—*McDonald* case 570
employment—cost of seeking..... 570
hobbies, sports and recreation..... 583
management, conservation and maintenance of property..... 582
non-business
amounts incurred for investigation for business or capital investment 580
investigatory expenses — relation to production of income.... 580
oil and gas interests
acquisition and other costs..... 375
operating costs 512
trusts—carryover of unused deductions on termination..... 97

FOREIGN CORPORATIONS
See also Treaties
foreign oil and gas ventures..... 539
source of income—U.S.-Italy tax convention 205

FOREIGN CURRENCY
See Foreign Currency and Exchange

FOREIGN CURRENCY AND EXCHANGE
blocked income
burden of proof—*Corn Products Refining Co.* case..... 402

FOREIGN CURRENCY AND EXCHANGE—continued PAGE
blocked income—continued
cessation of deferment..... 405
economic benefit theory—*Eder* case 402, 403
election to defer tax..... 405
extent of convertibility into dollars 400
gift, bequest or other distribution 405
mimeograph 6475 — suggested amendments 405, 406
personal use in foreign country.. 404
rate of exchange.....403, 407
resident aliens departing....405, 406
tax consequences of foreign exchange controls 400
"total blocking"—entire nonconvertibility 400, 401
"total blocking"—official v. free rate of exchange..... 403
"total blocking" — taxability based on economic satisfaction 403
"total blocking" — taxability based on specific legislation.. 402
commodity treatment 395
controls—tax consequences..... 400
dealers and non-dealers in foreign exchange 390, 392
debts incurred in merchandise purchases 390
devaluation of currency—tax problems 389
gain or loss
acquisition or disposition..... 390
borrowing or repayment of foreign currency—*Goodrich Co.* case 394
conversion of local currency into dollars 399
cost of purchases abroad—*Joyce-Koebel Co.* case..... 393
cost of purchases abroad—*Lembcke* case 390
dealers 390
debts or loans paid in foreign currency 390, 394
exchange purchases incidental to buying and selling—separate v. integrated transaction.... 390
fluctuations in value of currency 389
foreign currency acquired to pay for merchandise 390
loans repaid in foreign currency.. 394
Salt's Textile Mfg. Co. case..... 399
shifts in value of foreign currencies relative to U.S. dollar 389
worthlessness of currency..... 399

FOREIGN CURRENCY AND EXCHANGE—continued PAGE
rates
determination of U.S. dollar value of foreign income..... 407
New York free market..... 407
official v. free.....403, 407
right to inventory..... 390, 392

FOREIGN EARNED INCOME
foreign tax credit..... 539
oil and gas ventures..... 537

FOREIGN TAX CREDIT
foreign corporation dividend distributions 539
Italy-U.S. convention 204, 218
limitations 541
relief from double taxation—oil and gas interests 541

FOREIGN TRADE
permanent foreign establishment test 205
source of income.....205, 208
tax convention between U.S. and Italy 203

FRAUD
See also Net Worth Method
joint return 440

GAIN OR LOSS
See Basis of Property, Cancellation or Discharge of Indebtedness, Capital Gains and Losses, Losses, Net Operating Loss Carryovers and Carrybacks, Realization of Income or Loss, Recognition of Gain or Loss, Sales and Exchanges, Worthlessness

GIFTS
See also Charitable Contributions, Trusts
oil and gas interests—gain or loss on transfer 524

GOOD WILL
deduction of expenditure for.... 510

GRANTORS
See Trusts

GROSS INCOME
See also Exclusions from Gross Income, Realization of Income or Loss
community property states..... 438

HOBBIES
See Expenses

HUSBAND AND WIFE
See also Community Property, Constructive Ownership
community property 438

HUSBAND AND WIFE—continued PAGE
joint returns
detriments to women—need for change 437
failure to file 438
joint and several liability—abolition suggested 448
joint and several liability—history 444
joint and several liability—taxes and penalties 440
liability for tax.....437, 440, 444
mutual intent to claim benefits.. 443
presence or absence of wife's signature as indicating nature of return 442
signature of wife involuntary or under duress 443
statute of limitations..... 441
treatment of deductions or capital losses—*Taft* and *Janney* cases 444
two forms as joint—single form as two returns..... 441
what constitutes 441, 442
married women and the federal income tax 437
Section 1244 stock—loss limitations 599

IMPROPER SURPLUS ACCUMULATION
See Accumulated Earnings Tax

INADEQUATE CAPITALIZATION
differentiation of debt from equity 43
distributions and loan-backs—small business corporations (Subchapter S) 473
problems of debt in corporate area 43
shareholder endoresement of bank loans 493
small business corporations (Section 1244) 493, 494

INCOME
See Assignment of Income, Cancellation or Discharge of Indebtedness, Capital Gains and Losses, Compensation for Personal Services, Constructive Receipt, Dividends, Exclusions from Gross Income, Foreign Currency and Exchange, Gross Income, Income in Respect of Decedents, Realization of Income or Loss, Recognition of Gain or Loss, Sales and Exchanges, Trusts

INCOME IN RESPECT OF DECEDENTS
See also Decedents, Estates
last day constructive dividend of small business corporation (Subchapter S) 470

INDEBTEDNESS PAGE
See also Bad Debts, Cancellation or Discharge of Indebtedness, Corporate Reorganizations, Inadequate Capitalization
corporate—proposed changes in tax treatment 43
definition 237
problems in corporate area..... 43
securities in corporate exchanges—proposed changes 48

INSTALLMENT SALES
oil and gas interests..... 523

INTENT OR MOTIVE
See also Business Purpose
cancellation or discharge of indebtedness—*Jacobson* case..... 249
transactions entered into for profit 584, 585, 592, 593

INSURANCE
See Life Insurance

INVENTORIES
dealers—foreign exchange.....390, 392
LIFO distribution by corporation —proposed extension of statutory treatment 9

INVESTMENTS
See also Dealers
dealer v. investor—determination of status 517
foreign exchange 390
investigatory expenses—tax treatment 567
oil and gas ventures—income tax aspects 353

INVESTORS
See Dealers, Investments

JEOPARDY ASSESSMENTS
See Assessment and Collection

JOINT VENTURES
See also Partners and Partnerships
oil and gas interests.....362, 368

JUDICIAL REVIEW
See also Administrative Law
jeopardy assessments — determination "jeopardy" exists..... 545

LEASES
See also Oil and Gas Interests, Rent
oil and gas interests
abandonment 513
depletion—apportionment 507
small business corporations (Subchapter S)—sale and leaseback as bailout possibility..... 483

LEGISLATION PAGE
proposed changes
corporate reorganizations—definition 3, 19, 155
corporation and stockholder taxation—ALI-ABA study 1
pension plans for self-employed.. 55

LIENS
life insurance beneficiary for insured's income taxes..... 143

LIFE INSURANCE
amounts to purchase stock interest—premiums paid by corporation.. 415
endowment policies—purchase by trust on life of child-beneficiary 111
liability of named beneficiary for income taxes of deceased insured 137
stock purchase agreement funding.. 414
transfer for value rule
exclusion of proceeds..... 431
transfer by estate of shareholder to surviving shareholders.... 431
transfer to insured..... 431

LIFE INTERESTS
See Trusts

LOCAL LAW
liability of life insurance beneficiary for income taxes of deceased insured 138, 141, 147
trusts
distributable income 89
termination — ascertainment of date 86

LOSS CORPORATIONS
See Corporate Acquisitions to Avoid Tax

LOSSES
See also Bad Debts, Capital Gains and Losses, Carryovers and Carrybacks, Corporate Acquisitions to Avoid Tax, Net Operating Loss Carryovers and Carrybacks, Net Operating Loss Deduction, Realization of Income or Loss, Recognition of Gain or Loss, Small Business Corporations (Section 1244), Small Business Corporations (Subchapter S), Worthlessness
investigatory expenses as loss from transaction entered into for profit 584
small business corporation (Section 1244) stock 489
small business corporations (Subchapter S) 359, 361, 461, 473
small business investment companies
corporate loss on convertible debentures or stock acquired on conversion 455
shareholder loss on stock..... 455

MAINTENANCE AND SUPPORT PAGE
See Trusts

MARRIAGE
See Community Property, Husband and Wife

MERGERS
See also Corporate Reorganizations, Tax-Free Subsidiary Liquidations
proposed changes in tax treatment—ALI-ABA study 19
statutory — proposed definitional changes 155, 179

MINES AND MINING
See also Depletion
royalties received—U.S.-Italy tax convention 215

MORTGAGES
realization of income by debtor on discharge of indebtedness..... 226

MOTIVE
See Intent or Motive

NET OPERATING LOSS CARRYOVERS AND CARRYBACKS
See also Carryovers and Carrybacks, Corporate Acquisitions to Avoid Tax, Net Operating Loss Deduction
changes in stock ownership
acquisitions to avoid tax..... 32
continuation of same business requirement 36
proposed changes 33
oil and gas ventures—effect of excess deductions 528
small business corporation (Section 1244) stock losses 500, 501
small business corporations (Subchapter S) and their shareholders 361, 461, 473
special adjustments—effect on unused deductions 528
tax-free corporate transfers
acquisitions to avoid tax..... 32
proposed changes 33
"same taxpayer" requirement... 33

NET OPERATING LOSS DEDUCTION
See also Net Operating Loss Carryovers and Carrybacks
shareholders of small business corporations (Subchapter S)..361, 473

NET WORTH METHOD
husband and wife—failure to file returns 438

NONBUSINESS EXPENSES
See Expenses

NON-CAPITAL ASSETS PAGE
See Section 1231 Assets

NONRESIDENT ALIENS
See Nonresident Foreign Taxpayers

NONRESIDENT FOREIGN TAXPAYERS
See also Foreign Corporations
personal property sales
title passage rule..... 209
treaties 208
U.S. tax treatment..... 204

NON-TRADE EXPENSES
See Expenses

NOTES
See Promissory Notes

OIL AND GAS INTERESTS
See also Depletion
abandonment
elements 513
leasehold or fee interests....513, 514
nature and measure of loss..... 513
acquisition costs—capitalization.... 375
basis
sales—adjustment for depletion and capitalized costs....515, 516
sales—mineral property v. equipment 516
carried interests 385
co-ownership v. partnership....371, 384
cycling costs—tax treatment...532, 533
deductions—limitations in case of continuous deficits 530
delay rentals 376, 532
depletable income 506
depreciation
amount allowed for improvements —equipment costs.....387, 511
equipment costs 387, 511
methods available 512
dispositions
abandonment 513
exchanges 525
"farm-out" 514
gifts 524
sale 515
surtax limitation—value demonstrated by prospecting, exploration, discovery 518
drilling and development costs
costs of tangible equipment..380, 387
intangible 380, 541
non-productive wells—option to expense costs 386, 387
equipment costs
depreciation 511
equipment having salvage value —depreciation 387, 511
installment expenditures 387
tax treatment 387

OIL AND GAS INTERESTS— continued — PAGE

exchanges
operating interests 526
property held for productive use in business or for investment 525
property of like kind—what constitutes 525
expenditures
acquisition costs 375
drilling and development costs... 380
geological and geophysical costs.. 377
operating expenses 512
rentals and other carrying charges 376
sales—adjustment of basis for capitalized costs 516
secondary recovery, pressure maintenance, and cycling costs... 532
unitization or pooling..... 534
"farm-out"
meaning 514
reserved continuing non-operating interest—sub-lease..514, 515, 520
tax treatment 514, 520
"first year rentals"..... 376
foreign ventures
depletion 538, 541
double tax relief—treaties and foreign tax credit..... 541
foreign tax and other considerations 537
form of organization..... 539
intangible drilling and development costs 541
U.S. tax aspects..... 538
form of organization
collapsible corporation—effect of 1958 Code amendment...357, 359
collapsible corporation—risks in use 357
collapsible corporation—tax-free merger possibilities..... 359
corporation—non-tax considerations 355
"cost company"—definition 361
"cost company"—possible treatment as joint venture under "captive mine" ruling..... 361
foreign ventures 539
general partnership 365
importance 354
joint operating agreements..368, 369, 386
joint venture—agreement to acquire and test as tenants in common 368
joint ventures—common agent to acquire and test..... 368
joint ventures—co-ownership classification 371
joint ventures—"cost company" 362

OIL AND GAS INTERESTS— continued — PAGE

form of organization—continued
joint ventures—income tax classification 369
joint ventures—joint agreements for development and operation 368, 386
joint ventures—nature 368
joint ventures—partnership classification 365, 369, 371, 384
limited partnership 366
ordinary corporation—shareholder or investor aspects..... 355
small business corporation—election under (Subchapter S).. 359
small business corporation (Subchapter S)—excess percentage depletion over cost as earnings 361, 464
small business corporation (Subchapter S)—loss limitations 361
small business corporation (Subchapter S)—shortcomings... 361
trust—possible taxability as association 362, 363
unitization or pooling ventures.. 534
geological and geophysical costs
administrative rulings summarized 378
"bottom hole" contribution..... 380
option to expense as intangible drilling and development.... 380
reconnaissance type v. detailed survey 378, 379
uncertainty in tax treatment.... 378
gross income from production
amount includible by owner of interest 505
exclusion of royalties and similar payments 505
tax treatment to owner of interest 505
gifts
charitable donee 524
realization of income or loss.... 524
intangible drilling and development costs
carried interests—option to expense 385
definition 381
effect of unitization or pooling... 536
election by co-owner or partnership 384
foreign ventures 541
fractional interests and option to expense 381, 385
incurring of drilling costs by operator as election prerequisite 381, 382
input well and water source well expenditures 533
non-productive wells 386, 387

OIL AND GAS INTERESTS— continued — PAGE

intangible drilling and development costs—continued
operator status requirement..... 381
option to deduct as expenses.... 380
prerequisites of option to expense 381
timely election to expense prerequisite 381, 383
investigatory expenses 589
investment in—considerations for investor 353
investment in—form of organization factor 354
investment in—kind of interest to be acquired factor..... 373
joint operating or development agreements 368, 369
lease bonuses—character of lessee's expenditure 376
nature of interest acquired
carried interest 374
fee with underlying minerals.... 373
income tax classification—operating and non-operating interests 374
leasehold of oil and gas..... 374
lessor's royalty out of leasehold.. 374
mineral fee separate from surface 374
net profits interest..... 374
oil payment..... 374
overriding royalty out of leasehold 374
operating agreements
association taxable as corporation 369
function of operator..... 369
nature of arrangement..... 369
option to expense drilling and development costs 386
partnership classification 369, 371
tax classification 369
tests for exclusion from partnership classification 371
operating expenses
availability of excess amounts against capital gains..... 526
interests acquired subject to production payments from large percentage 512
limitation on deduction in case of continuous deficits 530
net operating loss carryovers and carrybacks of investor—effect of excess deductions..... 528
ordinary and necessary cost of obtaining share of production.. 512
operating interests
acquired subject to production payments from large percentage—operating expense deduction 512

OIL AND GAS INTERESTS— continued — PAGE

operating interests—continued
distinguishing tax features..... 374
meaning 374
option to expense intangible drilling and development costs 381
partnerships
co-ownership contrasted 371
effect of exclusion election..... 371
election to avoid partnership classification 371
joint ventures 365, 369, 371
operating agreements 369, 371
option to expense intangible drilling and development costs.. 384
unitization or pooling ventures.. 535, 537
tests for exclusion from partnership classification 371
personal holding company income—scope of term "mineral, oil or gas royalties"..... 531
pressure maintenance costs — tax treatment 532
rentals and other carrying charges
delay rentals 376, 532
election to capitalize while property non-producing 377
"first year rentals"..... 376
lessee's tax treatment..... 376
related to production..... 376
royalty paid on production—exclusion by lessee..... 376
unrelated to production or drilling 376
royalties...374, 376, 505, 506, 507, 531
sales
adjustment of basis for percentage depletion allowance..... 516
capital assets 517
dealer assets 516, 517
income tax treatment..... 515
leases—treatment as "farm-out" 520
measure of gain or loss..... 515
nature of gain or loss.....516, 520
nature of transaction—sale with reserved interest 519
operating property—basis of mineral property v. equipment.. 516
production payment or future payment based on production.... 520
property used in trade or business —section 1231 assets..... 516
reporting gain on deferred payment sale 523
royalty interest retained....519, 520
sale of entire property and subsequent sale of reserved production payment 523
sale of part of property or assignment of income..... 521
sale of part of property or whole.. 520

OIL AND GAS INTERESTS— PAGE
continued
sales—continued
sale of production payment out of larger interest 521
sale v. lease—factors in determining purpose of transfer..519, 520
sale v. lease—sale with future payments measured by production 519
sale v. lease—transfer for development and exploitation.... 519
surtax limitation—value demonstrated by prospecting, exploration, discovery 518
secondary recovery costs—tax treatment 532
tax aspects 353, 505
unitization or pooling—income tax aspects 534
working interests 374, 381

OPTIONS
See Elections, Restrictive Agreements

PARTIAL LIQUIDATIONS
See Redemptions of Stock

PARTNERS AND PARTNERSHIPS
See also Small Business Corporations (Subchapter S)
accounting period—adoption and change of taxable year of partnership 372
debt of partner cancelled—realization of income..... 236
family—trusts 132
limited—oil and gas interests..... 366
limited—taxability as association... 367
oil and gas ventures..365, 366, 369, 384, 535, 538, 542
Section 1231 assets—gain or loss on sale 517
small business corporation (Section 1244) shareholder 499, 500

PENALTIES
civil failure to file returns—husband and wife 438
civil fraud—joint return..... 440

PENSION AND PROFIT-SHARING PLANS
advance determination of qualified status 289
deductibility of contributions
inappropriateness of qualification requirements 290
non-forfeitable rights in employee-participants 292
"ordinary and necessary" and "reasonable allowance" tests 294
qualification requirement....290, 292, 294, 296
suggested criteria 296

PENSION AND PROFIT-SHARING PLANS—continued
employees and beneficiaries
advantage of qualified v. non-qualified plans 301
deferment under non-qualified plans 300
distribution comprising employer's securities 299, 304
exclusion of $5000 from income of designated beneficiary 309
lump sum and employer's securities distributions—treatment questioned 302, 304
lump sum distributions—capital gains 299, 302
tax deferment under unfunded plans 300
tax deferment until distribution.. 299
transfers of corporate businesses —lump sum distributions... 306
inequality of tax treatment..... 55
private
British proposals for self-employed 68
Canadian proposals 76
committee action on the Jenkins-Keogh bill, 1955..... 66
Jenkins-Keogh bill—a short history 55
New Zealand proposals..... 78
self-employed individuals—Jenkins-Keogh bill 55
qualification requirements
advance determination 289
conducted for exclusive benefit of employees o beneficiaries.... 292
no discrimination favorable to officers, supervisors, etc..... 293
non-statutory requirements imposed by Internal Revenue Service 293
Revenue Ruling 56-656..... 295
suggested criteria for deductibility 296
trusts
alternatives to exemption..... 315
exemption—desirability 315
exemption of income of qualified plan 315
loans to employer—1958 amendment 319
purchase of employer's securities 319

PERIOD OF LIMITATIONS
See Statute of Limitations

PERSONAL HOLDING COMPANIES
income
small business corporations (Section 1244) 495
small business corporations (Subchapter S) 360, 428, 458

PAGE

PERSONAL HOLDING COMPANIES—
continued
oil and gas ventures—scope of "royalties" 531

PRACTICE AND PROCEDURE
See also Assessment and Collection, Judicial Review, Statute of Limitations, Tax Court, Transferee Liability
petition to Tax Court to redetermine tax—purpose 547, 549

PRIVATE PENSION PLANS
See Pension and Profit-Sharing Plans

PROFIT-SHARING PLANS
See Pension and Profit-Sharing Plans

PROMISSORY NOTES
accommodation endorser liability compromised—realization of income 244

PROMOTERS
See Business

PURCHASE OF BUSINESS
See Restrictive Agreements, Sale of Business

RAILROADS
insolvency reorganizations—cancellation or modification of indebtedness 264, 277

REAL ESTATE
See also Leases, Rent
abandonment of fee interest—oil and gas interest..... 514

REALIZATION OF INCOME OR LOSS
See also Constructive Receipt, Recognition of Gain or Loss
borrowing of money..... 225
cancellation or discharge of indebtedness at less than amount due 225
distributions in kind by trusts..104, 105
foreign exchange transactions..... 390

RECOGNITION OF GAIN OR LOSS
See also Tax-Free Exchanges
corporate distribution of LIFO inventory or property with liability exceeding basis—proposed changes 9
corporate liquidations — proposed changes 14
corporate reorganizations—proposed changes 19, 155
corporate receipt of stock subscription price 240
exchanges of property of like kind.. 525
insolvency reorganizations 264, 267

REDEMPTIONS OF STOCK PAGE
See also Corporate Liquidations
attribution of stock ownership..50, 422
cancellation or discharge of indebtedness 283
constructive ownership
complete termination 50, 422
estates and beneficiaries.....52, 422
contraction or shrinkage of business —proposed changes 5
corporate business purchase agreements 414
disproportionate—proposed changes 4
distributions to pay death taxes.... 424
proposed changes
ALI-ABA study 1, 4
contraction or shrinkage of business 5
disposition of section 306 stock.. 5
disproportionate 4
partial liquidations
contraction or shrinkage of business—proposed changes..... 5
contraction v. cessation of separate business—proposed changes.. 6
Subchapter S election as alternative 482
partial sale and partial redemption 418
stock purchase agreements—possible dividends to surviving shareholders 417
substantially disproportionate....4, 423

REMAINDERMEN
See Trusts

RENT
See also Leases, Oil and Gas Interests
debtor as lessor—discharge of indebtedness 236
realty—treatment under U.S.-Italy tax convention 215

REORGANIZATIONS
See Corporate Reorganizations

RESIDENT ALIENS
foreign exchange — taxability of blocked income 405, 406
residence—definition under U.S.-Italy tax convention..... 211

RESTRICTIVE AGREEMENTS
corporate business purchase..... 413
redemptions of stock
constructive ownership problems.. 422
dividend possibilities 414, 417
small business corporations (Subchapter S)—non-tax considerations 432
stock purchase
accumulated earnings tax and Subchapter S 430

RESTRICTIVE AGREEMENTS— PAGE
continued
stock purchase—continued
accumulated earnings tax problems 425
avoidance of dividends on life insurance premiums 414
avoidance of double tax on insurance premiums—two v. more shareholders 430, 431
buy-sell agreements—administrative problems 431
buy-sell agreements—purchase by stockholders 430
corporate purchase of life insurance and stock..... 414
effect of small business corporation (Subchapter S) provisions 427, 485
life insurance premiums paid by corporation—effect of Subchapter S 428
insurance on life of shareholder as business need — *Emeloid* case 425
life insurance—corporation as owner and beneficiary..... 416
life insurance premiums paid by corporation — possible dividend to surviving stockholders 417
life insurance premiums paid by corporation — proceeds received by trustees in *Doran* case 420, 421
life insurance premiums paid by corporation—*Prunier* case.. 415, 416, 421, 428, 434
liquidation and reincorporation to avoid stockholder-beneficiary of estate problem..... 424
partial purchase and partial redemption—*Edenfield* case... 418
payment by corporation for stock received by remaining stockholders—*Zipp* case 419, 434
possible dividend to surviving shareholders 417
purpose 413
preservation of small business corporation (Subchapter S) election 485
redemption agreement—purchase by corporation 414
redemption of stock under option to remaining stockholders—effect of Subchapter S..... 429
redemption of stock under option to remaining shareholder—*Holsey* case 419, 429, 434
redemptions—constructive ownership problems 422

RESTRICTIVE AGREEMENTS— PAGE
continued
stock purchase—continued
redemptions—distributions to pay death taxes 424
redemptions—suggested solutions to surviving shareholder-beneficiary of estate problem.... 423
redemptions — surviving stockholder as beneficiary of decedent's estate 422
shareholder obligation discharged by corporation—*Wall* case... 418
shareholder purchase of insurance and stock 414
stock redemption 414
recent developments 413
transfer to survivors of insurance on their lives..... 431
trust as holder of life insurance.. 431
use of corporate funds..... 418
validity of restraints on alienation 486

RETIREMENT
See Pension and Profit-Sharing Plans

RESTRAINTS ON ALIENATION
See Restrictive Agreements

RETIREMENT OF STOCK
See Redemptions of Stock

RETURNS
failure to file—husband and wife.. 438
husband and wife..... 437
joint
detriments to wife—need for change 437
joint and several liability for taxes and penalties..... 440
joint and several liability—history 444
joint and several liability—suggested abolition 448
liability for tax.....437, 440, 444
mutual intent to claim benefits.. 443
presence or absence of signature of wife as indicating nature of return 442
signature involuntary or under duress 443
two forms as joint—single form as two returns..... 441
what constitutes 441, 442
liability for tax
community property 438
husband and wife—joint return 437, 440, 444
single form as two separate returns 441

ROYALTIES PAGE
mines and mining—U.S.-Italy tax convention 215
oil and gas interests..374, 376, 505, 506, 507, 519, 520, 531
personal holding company income—scope 531
U.S.-Italy tax convention treatment 215

RULINGS
pension and profit-sharing plans—advance determination of qualified status 289

SALE AND LEASEBACK
See Leases

SALE OF BUSINESS
See also Restrictive Agreements
purchase of stock with corporate funds 418

SALES AND EXCHANGES
See also Recognition of Gain or Loss, Sale of Business, Tax-Free Exchanges
appreciated capital assets transferred in discharge of liability 234, 238, 272
encumbered property 226
mortgage foreclosures or voluntary conveyances to mortgagee..232, 233
oil and gas interests..... 515
retirement of corporate obligations 231

SECTION 269
See Corporate Acquisitions to Avoid Tax

SECTION 1231 ASSETS
sales—oil and gas interests..... 516
small business corporation (Subchapter S) gains and losses.... 480

SECURITIES
See also Corporate Reorganizations
corporate exchanges
nature 48
proposed changes 48

SHAREHOLDER AGREEMENTS
See Restrictive Agreements

SHAREHOLDERS
See also Basis of Property, Constructive Ownership, Corporate Divisions, Corporate Liquidations, Corporate Reorganizations, Corporations, Dividends, Dividends Received Credit or Exclusion, Earnings and Profits, Inadequate Capitalization, Mergers, Redemptions of Stock, Restrictive Agreements, Sale of Business, Small Business Corporations (Section 1244), Small Business Corporations (Subchapter S), Stock, Stock Dividends, Tax-Free Subsidiary Liquidations, Transfers to Controlled Corporations

SHAREHOLDERS—continued PAGE
business purchase agreements..... 413
cancellation of corporate indebtedness
as capital contribution.....250, 253
as dividend 235, 273, 283
complete termination of interest... 13
life insurance premiums paid by corporation 414
oil and gas ventures..... 355
proposed changes in tax treatment —ALI-ABA study 1
small business corporation (Subchapter S) 359, 427, 455

SIGNATURES
See Returns

SMALL BUSINESS CORPORATIONS (SECTION 1244)
effect of failure to qualify..... 491
impact of statutory provisions.....454
limitation on losses
annual maximum — $25,000–$50,000 500
carryovers and carrybacks..... 599
contributed property having basis in excess of value..... 501
deduction as ordinary loss..... 489
increases in basis by capital contribution 501
married persons 500
net operating loss treatment.... 500
sale, exchange, liquidation or worthlessness 489, 500
treatment of amounts in excess of maximum allowed 501
qualification
equity capital limitation—determination of value 494
$500,000–$1,000,000 limitations.. 492
gross receipts from active sources in critical period..... 495
over-all loss in critical period.... 496
passive income restriction..... 495
personal holding income restriction 495
shareholder endorsement of bank loans 493
size limit 454, 492
step transaction possibilities..... 492
stock 497
thick capitalization 494
thin capitalization—dollar matching of loan and equity..... 493

PAGE

SMALL BUSINESS CORPORATIONS (SECTION 1244)—continued
shareholder
donees or legatees or other transferees 499
individual or partnership requirement 499, 500
original stockholder requirement.. 499
underwriter disqualification..... 500
small business corporation (Subchapter S) stock losses..... 461
small business investment companies —corporate loss on convertible debentures or stock acquired on conversion 455
—loss on stock to shareholder.. 455
stock
adoption of plan by new entity—timing 497
common—domestic corporation... 497
effect of presence of preferred stock 497
issuance for other than money or other property—substituted stock 498
issuance pursuant to plan..... 497
limitation on losses..... 500
minority shareholder problems.. 498, 499
nature of loss deduction..... 489
plan adopted after June 30, 1958 —details of plan..... 497
portion of prior offering outstanding 498
substituted stock — recapitalizations, stock dividends, "F" reorganizations 498
Subchapter S compared..... 489

SMALL BUSINESS CORPORATIONS (SUBCHAPTER S)
See also Corporations, Small Business Corporations (Section 1244)
avoidance of collapsible designation 483
basis of stock to shareholder...360, 361, 428, 429, 430, 464, 474, 475, 477, 478
capital gains
avoidance of collapsible designation through pass-through... 483
cash shortage—avoidance through corporate borrowing 480
cash shortage for distribution... 479
collapsibility—sales of Section 1231 assets 483
determining nature of assets under proposed regulations 484
pass-through in operation....360, 478
restriction of pass-through under proposed regulations 484

PAGE

SMALL BUSINESS CORPORATIONS (SUBCHAPTER S)—continued
capital gains—continued
retention of character on distribution 360, 478
sale and leaseback of appreciated property 483
Section 1231 gains and losses.... 480
single year election—disposition of capital or Section 1231 assets 481
single year election—generally.. 461
single year election—trapping long-term gains 461, 481
spin off of low profit business preliminary to election..... 482
Subchapter S as alternative to Section 346 partial liquidation 482
taxability to shareholder.....360, 478
dividends
dividends received credit or exclusion or retirement credit... 360, 463
when taxable to shareholders.... 428, 463
earnings and profits
effect of percentage depletion in excess of cost.....356, 361, 464
effect of tax-exempt income or life insurance proceeds 464
election
death of shareholder—consent by executor 469
effect on corporation and shareholder 359, 360, 428, 455
effect on corporate business purchase agreements 427, 485
eligibility after termination..... 463
preliminary spin-off of low profit business 482
preservation through buy-sell or restrictive stock agreement.. 485
election considerations
anticipated termination 461
avoidance of double tax as basis —mathematics of choice.... 459
corporation anticipating eventual sale or liquidation.....459, 460
corporation distributing earnings 459, 461
corporation planning expansion.. 459, 460
difficulties and factors in decision 458
losses in early years..... 461
single year election—"trapping" long-term capital gain...461, 481
time for making and filing consents 360
genesis of Subchapter S..... 456

PAGE

SMALL BUSINESS CORPORATIONS (SUBCHAPTER S)—continued
investigatory expenses 578
losses
allocation among shareholders—in general 359, 361, 468
allocation among shareholders on daily basis—shortcomings... 473
capital—pass-through not permitted 361, 480
carryovers and carrybacks...359, 361, 474
deductibility as attributable to trade or business..... 474
effect of election year losses on stock basis 361, 477
effect of election year losses on previously taxed income account 477
existing carryovers—effect of profit or loss in election year 360, 476
final return of deceased shareholder 474
limitation on allocable loss to basis of stock held.....361, 474
operation of pass-through...359, 361, 473
reduction of basis of stock and indebtedness ..361, 474, 475, 478
Section 1231 assets..... 480
year-end capital contributions or loans to offset anticipated unallowable deductions 475, 476
oil and gas ventures..... 359
optional tax treatment....359, 427, 454, 456
purpose of statutory provisions... 454, 456, 457
retention of non-tax features..... 457
previously-taxed income distributions
accumulated earnings and profits 360, 463
capital gains 360, 478
current earnings distribution requirement—illustrations 464, 465
disproportionate or preferential distribution 466
distributions and loan-backs..... 472
distributions in non-election year—illustration 465, 466
effect of disqualification....465, 466
extent to which tax-free character continues 360, 464
pre-election year earnings and profits 465
pre-election year earnings absent 464
suggested statutory changes..... 470

PAGE

SMALL BUSINESS CORPORATIONS (SUBCHAPTER S)—continued
qualification
availability to corporations planning or in process of liquidation—proposed regulations.. 484
class of stock.....359, 428, 457, 458
number of shareholders..359, 427, 457, 458
recognition of gain—desirability of deferment 479
Section 1231 gains and losses..480, 483
Section 1244 compared.....454, 489
taxable income
determination 360
taxability to shareholders....360, 428, 463
termination
disqualification—effect of accumulated earnings on treatment of distributions 465, 466
election after 463
involuntary—disqualifying transfer 462
personal holding company or foreign income excessive...360, 428, 458
revocation by consent of all shareholders 360, 462
source of income.....360, 428, 458
suggested changes 462
taxable year for which effective.. 360, 458, 462
trustee's receipts of insurance proceeds under stock purchase agreement 432
voluntary—bona fides of stock transfers 462
undistributed taxable income
capital gains 360, 478
cash shortage for distribution... 479
definition 429, 465
distributions and loan-backs..... 472
distributions of other than money 479
effect of accumulated earnings... 464
effect of losses on previously taxed income concept 477
effect of losses on stock basis.. 361, 477
effect on basis of amounts included in shareholder's gross income 360, 428, 464
effect of death of shareholder on previously taxed income account 469
effect on purchasers of stock of last-day rule 468
imputing income to last-day shareholders 468

PAGE

SMALL BUSINESS CORPORATIONS (SUBCHAPTER S)—continued
undistributed taxable income—cont.
last-day constructive dividend as income in respect of decedents 470
last-day stock ownership rule for taxing income—loss treatment contrasted 468, 473
suggested statutory changes..... 470
taxable income—taxability to shareholders ..359, 427, 428, 463
tax-free distribution—extent to which tax-free character continues 463
treatment of family groups..... 468
year-end stock transfers..... 468

SOLE PROPRIETORSHIPS
See Small Business Corporations (Subchapter S)

SPIN-OFFS
See Corporate Divisions

SPLIT-OFFS
See Corporate Divisions

SPLIT-UPS
See Corporate Divisions

STATE LAW
See Local Law

STATUTE OF LIMITATIONS
fraud—joint return..... 441

STEP TRANSACTIONS
corporate reorganizations 160
small business corporation (Section 1244) plans 492

STOCK
See also Basis of Property, Corporate Liquidations, Corporate Reorganizations, Dividends, Earnings and Profits, Redemptions of Stock, Small Business Corporations (Section 1244), Small Business Corporations (Subchapter S), Stock Dividends, Tax-Free Subsidiary Liquidations
corporate business purchase agreements 413
treasury—taxability to shareholders on distribution 416

STOCK DIVIDENDS
See also Dividends
bailouts in corporate reorganizations 163, 193

STOCK DIVIDENDS—continued PAGE
section 306 stock
gift to charity—proposed changes 5
proposed changes — ALI-ABA study 4
treasury stock 416
qualification for small business corporation (Section 1244) purposes 498

SURPLUS UNREASONABLY ACCUMULATED
See Accumulated Earnings Tax

SUBSIDIARIES
See Tax-Free Subsidiary Liquidations

TAX BENEFIT DOCTRINE
cancellation or discharge of indebtedness 252, 274, 285

TAX COURT
impetus for creation of Board of Tax Appeal 548
jeopardy assessment—stay of sale of seized property pending decision 549
petition—redetermination of deficiency 547, 549
purpose—review of tax controversy prior to collection..... 547

TAX EVASION AND AVOIDANCE
See also Accumulated Earnings Tax, Collapsible Corporations, Corporate Acquisitions to Avoid Tax, Fraud, Penalties, Redemptions of Stock
short term trusts..... 109

TAX PLANNING
small business corporations (Subchapter S) 359, 427, 455

TAXABLE EVENT
See Accounting Period, Realization of Income or Loss

TAX-EXEMPT ORGANIZATIONS
short term trust beneficiaries...113, 116

TAX-FREE EXCHANGES
See also Carryovers and Carrybacks, Corporate Acquisitions to Avoid Tax, Corporate Divisions, Corporate Reorganizations, Mergers, Net Opating Loss Carryovers and Carrybacks, Recognition of Gain or Loss, Tax-Free Subsidiary Liquidations, Transfers to Controlled Corporations
oil and gas interests—property used in trade or for investment..... 525

TAX-FREE EXCHANGES— PAGE
continued
property of like kind
basis substitution.....525, 526
oil and gas interests.....525, 536
real estate 525
recognition of gain or loss..... 525
what constitutes 525
securities and debt — proposed changes 48

TAX-FREE SUBSIDIARY LIQUIDATIONS
See also Corporate Liquidations
upstream debts
cancellation of indebtedness..... 279
solvency of subsidiary..... 280

TENANCIES IN COMMON
oil and gas ventures..... 368

THIN CORPORATIONS
See Inadequate Capitalization

TRANSFEREE LIABILITY
burden of proof..... 147
life insurance beneficiary
amount recoverable—cash surrender value under *Bess* case 143
beneficiary as "transferee of property of a taxpayer".. 138, 139, 141
Bess decision as restriction on Commissioner's collection function 148
conflict in cases prior to Supreme Court decisions 137
consequences of Supreme Court *Bess* and *Stern* decisions.... 146
factual differences in *Stern* and *Bess* cases 143
income taxes of deceased..... 138
liability at law or equity—applicability of state or federal law 138, 141, 147
notice and demand made prior to insured's death—*Bess* case.. 143, 148
proceeds or cash surrender value as property of taxpayer..138, 144
solvency factor 138, 147
Stern and *Bess* cases..... 137
state law applicability..138, 141, 147

TRANSFERS TO CONTROLLED CORPORATIONS
See also Capital Contributions, Corporate Divisions, Corporate Reorganizations, Mergers, Tax-Free Subsidiary Liquidations

TRANSFER TO CONTROLLED CORPORATIONS—continued PAGE
reorganizations — reincorporation after liquidation..30, 191, 198, 424
Section 306 stock transfers..... 5
securities v. debt—proposed changes 48

TRAVEL EXPENSE
See Expenses

TREATIES
business income—source 205
collection assistance—exchange of information 219, 220
dividends 212, 215
foreign tax credit..... 204
Italy-U.S. convention 203
mine royalties and real estate rentals 215
operation of ships or aircraft..... 211
permanent establishment test..... 205
purpose 203
relief from double taxation—oil and gas interests 541
royalties 215
situs
real property interests..... 221
tangible personal property..... 221
U.S.-Italy tax convention
allocation of income..... 205
compensation for personal services 217
dividend treatment 212
exchange of information.....219, 220
foreign tax credit..... 218
income from real property and mining royalties 215
"industrial or commercial profits" —definition 208
Italian subsidiary in U.S. as permanent establishment 206
operation of ships or aircraft... 211
permanent establishment—attribution of income..... 206
permanent establishment—meaning 205, 207
residence—definition 211
resident—definition 211
royalties 215, 216
solicitation of orders in U.S. by Italian agent 206
source of income.....205, 208
taxes included 203
title passage rule..... 209
treatment of business income.... 205

TRUSTEES
See Trusts

TRUSTS
accumulated income
throwback rule on termination... 106
short term transfers....110, 111, 122
Clifford case 123

TRUSTS—continued PAGE
deductions
excess amounts on termination... 94
fiduciary v. tax accounting..... 94
termination—effect of separate shares rule 97, 101
termination—soil or water conservation expenses 97
treatment by remainderman on termination 96
distributable net income
capital gains of final year..... 93
capital gains realized after life tenant's death and before termination 88, 90
death of life tenant—amount includible in his final return.. 99
identity of recipient uncertain... 92
receipt in final year..... 92
receipts between life tenant's death and trust termination.. 88
separate shares rule—application on life tenant's death..... 101
separate shares rule—termination 97, 101
taxability to remainderman on termination—problems ...88, 90
termination — estate treatment contrasted 88
estate planning—short term transfers 109
exempt—pension and profit-sharing plans 315
expenses—carryover of unused deductions on termination..... 87
family partnership interests..... 132
grantor's administrative control—short term transfers..... 131
grantor's control of beneficial enjoyment
grantor-trustee — control after termination of term..... 125
identity of trustee..... 123
grantor-trustee—power to allocate income among charities..... 125
grantor-trustee—power to apply income to dependent's support 124
grantor-trustee—power to dispose of reversion by will..... 125
power to accumulate or distribute income — grantor v. non-grantor trustee 127, 128
power to apportion income within class — sprinkling techniques 129
power to invade corpus for current income beneficiary..... 125
power of non-grantor trustee.... 126
income currently distributable—amounts earned or payable in year of termination..... 88

TRUSTS—continued PAGE
life insurance—stock purchase agreements 431
local law—termination 86
oil and gas interests..... 362
pension and profit-sharing plans—exemption from tax..... 315
reversionary interest after short term
accumulation of income during period 110, 111, 122
aged relatives as beneficiaries.... 112
as a tax saving device..... 109
assignment of income to trust.... 132
capital gains—to whom taxable.. 119
charitable beneficiaries—as substitute for contribution..... 116
charitable beneficiaries — limited statutory categories 116
charitable deduction—powers of disposition retained 117
charitable beneficiaries—two-year minimum period 113, 116
charitable beneficiaries—value of retained reversion 117
discharge of grantor's legal obligation 111
discharge of grantor's support, etc. obligation 111, 120
distribution v. accumulation—to whom income taxable..... 118
distributions to minors..... 112
event other than expiration of specific period 112, 113
extension of period—postponement of termination..... 115
family partnership interests..... 132
grantor or another as measuring life 113
grantor's administrative control.. 131
grantor's age as a factor..... 109
grantor's control of beneficial enjoyment 123
income tax implications..... 118
illustrations of practical uses.... 110
minimum ten-year term—non-charitable beneficiaries 113
multiple trusts 118
payment of life insurance premiums on life of grantor's wife 112
period in excess of beneficiary's life expectancy 112, 113
planning—age of grantor as a factor 109
planning considerations 109
provisions for education of children 111
purchase by trust of endowment policies on child's life..... 111
support of parents..... 121

TRUSTS—continued PAGE
reversionary interest after term—continued
ten-year transfers 109
termination on occurrence of specific or combined events..... 114
throwback rule 121
two-year charitable transfers.... 113, 116
use to increase exemptions....111, 118
wife or children as beneficiaries—ten-year income accumulation 110
short term 109
termination
capital gains of final year..... 93
death of life tenant—application of separate shares rule..... 101
death of life tenant—problems... 85
distributability of income—effect of local law..... 89
distributable net income..... 88
distribution of appreciated property 105
distributions in kind—income exceeding deductions 105
distributions in kind—realization of gain or loss.....104, 105
event marking termination....85, 95
final distribution unreasonably delayed 87, 90
income of final year..... 92
income tax problems incident thereto 85
local law as affecting date.....86, 101
local v. federal law as determining 86
loss carryovers and excess deductions—availability to remainderman 87

TRUSTS—continued PAGE
termination—continued
net operating or capital losses... 95
tax treatment of income received between life tenant's death and termination 88
taxable years of trust and beneficiaries 99
throwback rule—applicability.... 106
throwback rule—operation..... 106
treatment of deductions..... 94
throwback rule
accumulations to age 21..... 122
emergency distributions 122
exemption of first $2000..... 122
reversionary interest after short term 121
termination distributions....106, 123

UNDISTRIBUTED PROFITS TAX
See Accumulated Earnings Tax

UNREASONABLE ACCUMULATION OF SURPLUS
See Accumulated Earnings Tax

VALUATION
See Federal Estate Tax: Valuation

WITHHOLDING TAXES
dividends—U.S.-Italy tax convention 213

WORTHLESSNESS
See also Bad Debts, Losses
abandonment of oil and gas interests 513
foreign currency 399

INDEX TO FOREIGN AND MISCELLANEOUS TAXES

CANADA PAGE
proposed pension plans for self-employed 76

GREAT BRITAIN
proposed pension plans for self-employed 68

ITALY PAGE
U.S.-Italy tax convention—taxes affected 203

NEW ZEALAND
pension plans for self-employed... 78

TREATIES
Italy-U.S. tax convention..... 203

INDEX TO STATE AND LOCAL TAXES

ADMINISTRATIVE LAW PAGE
judicial review of property tax assessments 327

ALABAMA
overvaluation—scope of judicial review 333

ASSESSMENTS
property tax—judicial review..... 327

CALIFORNIA
inequality in assessment—scope of judicial review 339

CONSTITUTIONAL PROBLEMS
judicial review of property tax assessments 327

EVIDENCE
judicial review of property assessments 327

IDAHO
inequality in assessment—proof.... 341
overvaluation—scope of judicial review 332

ILLINOIS
scope of judicial review
inequality in assessment..... 338
overvaluation 331

INDIANA
overvaluation of property—scope of judicial review 330

IOWA
inequality in assessment—proof.... 341
overvaluation—scope of judicial review 334

JUDICIAL REVIEW
property tax assessments
constructive fraud 328
evaluation of proper role of courts 348
inequality—*Cromwell* case..... 345
inequality—full value assessment as remedy 344
inequality—mandamus to force full assessment 346
inequality—narrow view of scope 338
inequality—New Jersey cases.... 345
inequality—proof of injury to taxpayer 342

JUDICIAL REVIEW—continued PAGE
property tax assessments—continued
inequality—remedies open to complaining taxpayer 344
inequality—*Sioux City Bridge Co.* case 346
inequality — without overassessment 343
need for adequate tax appeal machinery 348
overvaluation—acceptance of assessor's figure 330
overvaluation—difficulties resulting from broad scope exercise 336
overvaluation — states adopting broad view of scope..... 333
overvaluation—states adopting intermediate view of scope.... 337
overvaluation—states adopting restrictive view of scope...328, 330
proof of inequality..... 340
remedies 328
role of courts..... 327
scope 327

MASSACHUSETTS
overvaluation—scope of judicial review 337

NEBRASKA
overvaluation—scope of judicial review 333

NEW YORK (STATE)
overvaluation—scope of judicial review 335

OHIO
overvaluation—scope of judicial review 337

PENNSYLVANIA
overvaluation—scope of judicial review 335

PRACTICE AND PROCEDURE
inequality in assessment—remedies 344

PROPERTY TAX
assessments
certiorari as review remedy..... 328
constitutional requirements..... 327
constructive fraud 328, 335
inequality or overassessment..... 328

PROPERTY TAX—continued PAGE
assessments—continued
judicial review 327
uniformity and equality..... 338
overvaluation
broad view of scope of judicial review 333
intermediate view of scope of judicial review 337
restrictive scope of judicial review 328, 330

SOUTH DAKOTA PAGE
overvaluation—scope of judicial review 335

TEXAS
overvaluation—scope of judicial review 332

U. S. INTERNAL REVENUE CODE OF 1939
REFERENCE TABLE

1939 I.R.C. §	PAGE
22(b)(2)(C)	312
22(b)(9)	257, 258, 260, 261, 262, 263, 264
22(b)(10)	264
23(a)	294
23(p)	294, 299
102	425, 426
112(b)(3)	187, 239
112(b)(d)	279
112(b)(9)	265
112(b)(10)	267
112(b)(11)	187
112(c)(2)	269
112(d)	269
112(e)	269
112(g)	239
112(g)(1)(A)	155
112(g)(1)(B)	158, 173
112(g)(1)(D)	183
112(h)	184
112(k)	269
113(a)(5)	312
113(a)(20)	265, 266
113(a)(5)	312
113(a)(21)	265, 266
113(a)(22)	267
113(b)(3)	257, 258, 260, 261, 267
113(b)(4)	270
126(c)	313
162(b)	89
165	57, 58, 61, 302
165(a)	55, 299
311	138
811	296
811(c)(3)	311
811(f)(2)	310
3653	558, 559
3797(a)(2)	371

U. S. INTERNAL REVENUE CODE OF 1954
REFERENCE TABLE

1954 I.R.C. §	PAGE
2	101
34	92, 316, 360, 539, 540
61	38, 400, 405, 406, 438
61(a)(4)	165
61(a)(12)	276
62	524
62(1)	572
62(2)(a)	572
72	313
72(e)(3)	303
101	292
101(a)	314
101(a)(1)	425, 430
101(a)(2)	431
101(a)(2)(B)	413, 431
101(b)	290, 309, 314
101(b)(2)(B)	309
108	281, 282, 284
108(a)	276
108(b)	278
111	285
116	316
118	251
151	75, 101, 529
151(b)	119, 448
151(e)	119
152(a)(9)	448
162	294, 296, 512, 579, 598
162(a)	294, 568, 569
162(b)	294
164(b)(6)	542
165	513, 598
165(a)	387, 588
165(c)	588
165(c)(1)	587
165(c)(2)	365, 584, 587, 588
165(c)(3)	529
165(g)	356, 365, 373, 578
166	356
167	512
167(e)	512
168	453
170	116, 294
170(b)	524
170(b)(1)(D)	117
170(b)(2)	294
172	474, 476, 477, 528, 529
172(b)	529
172(d)(4)	529
174	378
175	97
178	53
179	53

1954 I.R.C. §	PAGE
212	581, 582, 583, 587, 598, 600
212(1)	580
212(2)	582
217(b)	74
242	529
243	214, 529, 539, 540
244	529
245	529, 539
246(b)	529
247	529
248(b)	595
262	592
263(a)	379
263(c)	380, 382, 385, 387, 453
264(a)(1)	428
266	377
267	49, 52, 53
267(a)(2)	251
269	34, 37, 38, 42
269(c)	37
270	474, 530
270(d)	530
301	165, 283
301(b)(2)	227
301(c)(2)	165, 168, 179
301(c)(3)	165
302	4, 6, 9, 50, 52, 53, 283, 418, 422, 424
302(a)	165, 422
302(b)	165
302(b)(1)	5, 423
302(b)(2)	5, 53, 423
302(b)(3)	422, 424
302(b)(4)	278
302(b)(5)	423
302(c)	169
302(c)(1)	422
302(c)(2)(A)	422, 423
302(c)(2)(B)	199
303	424
305(a)	416
306	4, 5, 9, 10, 13, 52, 53, 167
306(c)(1)(A)	416
307(a)	416
311	281
311(b)	9
311(c)	9, 227
312(c)	227
312(f)	177
312(j)	227
316(a)	166, 167, 213, 463
316(a)(1)	166
316(a)(2)	166, 429
317	283

1954 I.R.C. §	PAGE
317(b)	283
318	165, 199
318(a)	422, 423
318(a)(1)	74, 423
318(a)(2)	423
318(a)(2)(A)	422
331	165, 189, 191
331(a)	213
332	279, 280
332(c)	281, 282
333	14, 19, 358
333(a)	358
334	52, 53
334(b)(2)	16, 22, 35, 306
336	280, 281
337	16, 18, 19, 281, 358, 359
337(c)(1)(A)	358
341	15, 18, 19, 52, 53, 357, 359, 365, 483, 484
341(a)	357, 358
341(b)	357, 358
341(b)(3)(C)	483
341(b)(3)(D)	357, 483, 484
341(d)	358
341(e)	357, 484
341(e)(8)	53
346	9, 34, 165, 482, 485
346(a)	6
346(b)	8
351	5, 30, 31, 48, 49, 186, 189, 191, 539
354	160, 188, 189, 190, 192, 193, 194, 195, 196, 197, 200, 201, 278
354(a)	193, 194, 197, 198
354(a)(1)	178, 278
354(b)	188, 193, 195, 196, 197, 199
354(b)(1)(A)	193, 197
354(b)(1)(B)	193
354(c)	278
355	10, 34, 188, 189, 190, 192, 193, 194, 195, 196, 197, 200, 201, 482
355(a)(1)(B)	189
355(a)(2)(A)	188
355(a)(2)(B)	188
355(b)(1)	189
355(b)(2)	189
356	188, 189, 190, 192, 193, 200, 201, 278, 283
356(a)	164
356(a)(1)	167, 178, 189
356(a)(1)(A)	160
356(a)(1)(B)	190, 197
356(a)(2)	167, 178, 189
356(d)(2)(C)	189
357	49, 227
358	170
358(a)	168
358(a)(1)	170, 178
358(a)(1)(A)	170
358(a)(1)(B)	170

1954 I.R.C. §	PAGE
358(b)	168
358(d)	177, 227
358(e)	170
361	182
361(b)	164
361(b)(1)(B)	176, 177
362	251
362(b)	170, 182
367	49, 539
368	278
368(a)(1)	155, 156
368(a)(1)(A)	306
368(a)(1)(B)	158, 160, 167, 169, 183
368(a)(1)(C)	173, 176, 181, 306
368(a)(1)(D)	183, 185, 188, 196, 198
368(a)(1)(F)	157
368(a)(2)(A)	174, 181
368(a)(2)(B)	173, 176
368(a)(2)(B)(iii)	175
368(a)(2)(C)	171
368(b)	173
368(c)	158, 169
371	277, 278
372	277
373	277
374	277, 278
382	36, 52, 53
401	72, 73, 294, 296
401(a)	55, 289, 296, 321
402	290, 292, 308
402(a)	309, 314
402(a)(1)	55, 302
402(a)(2)	55, 299, 302, 303, 304, 305, 306, 307, 309
402(b)	301
403	290, 292, 308
403(a)	309
403(a)(1)	302
403(a)(2)	299, 302, 303, 306, 307, 309
403(b)	301
404	55, 290, 294, 296, 297
404(a)	292, 297
404(a)(1)	297
404(a)(3)	297
404(b)	292
421	52, 302
443(a)(2)	148, 372
451(b)	406
501	292
501(a)	315
501(c)(3)	71, 289
501(c)(9)	315
503	53, 72, 318, 320
503(c)(1)	319
511	72
514	53
531	356, 425, 427, 430, 461
533(a)	425, 575
534	426, 427
535	427

1954 I.R.C. §	PAGE
535(c)	425
535(c)(1)(A)	427
541	356
542	52
543	52
543(a)(8)	531
544	358
551	356
552	52, 356, 539
553	52, 531
603	13
611	506, 511
611(b)(1)	507
611(b)(3)	364
612	506, 511
613	453, 506, 508
613(a)	506, 511
614	375, 506
614(b)	510
614(d)	510
615	378, 599
632	516, 632
641	363, 364
641(a)	118
642(b)	91, 95, 101, 118
642(c)	95
642(h)	87, 88, 93, 95, 96, 97, 98, 103
642(h)(1)	96
642(h)(2)	96, 98
643(a)(3)	93, 94
651	89, 364
652	89, 118, 364, 474
652(b)	365
652(c)	99
661	89, 98, 103, 118, 364
662	89, 91, 98, 103, 364, 474
662(b)	365
662(c)	99
663(c)	97, 98, 102, 103, 104
665	317
665(b)	122
665(b)(1)	122
665(b)(2)	122
665(b)(4)	107, 123
665(d)	107
666	122, 317
667	317
668	317
671	132
673(a)	119
673(b)	116
673(c)	113
674(a)	124
674(b)(1)	124
674(b)(2)	125
674(b)(3)	125
674(b)(4)	125
674(b)(5)(A)	126
674(b)(5)(B)	126
674(b)(6)	127, 128
674(b)(6)(B)	128
674(b)(7)	127
674(c)	126, 129
674(c)(1)	129
674(d)	129
675	131
677(a)(2)	119
677(b)	120, 125
678	132
678(c)	120
681	53
691	75, 303, 313, 470
691(c)	100, 313
691(d)	313
701	365, 371
703	384
703(b)	372
704	537
704(a)	373
704(b)	373
704(d)	373
704(e)	132
706(a)	372
706(b)	372
706(c)(1)	372
706(c)(2)(A)	373
707(b)	53
721	372
731	372
741	302
751	302
752	227
761	371, 384
761(a)	366, 371
851	74
861	208
861(a)(1)(B)	215
861(a)(2)(B)	215
861(a)(3)	217
861(a)(4)	215
861(a)(6)	208, 210
862	208
862(a)(6)	208, 210
863	208
863(b)(2)	209, 210
864	208
871	213, 214, 215, 216
871(a)	204
872(a)	204, 208
881	213, 214, 215, 216
881(a)	204
882(b)	204, 208
894	541
901	204, 216, 218, 219, 539, 540, 541, 542
902	204, 216, 218, 539
903	204, 216, 218, 219
904	204, 216, 218, 539, 540, 541
904(c)	542
905	204, 216, 218

1954 I.R.C. §	PAGE
922	529
1012	392
1014(a)	422, 500
1015(a)	499
1016	414
1016(a)(2)	516
1017	276, 281, 282
1018	270
1031	482, 525, 536
1031(b)	536
1031(d)	227, 525, 526
1032	287
1032(a)	170
1033(a)(3)(C)	169
1034(j)	169
1036	29
1201	526, 527
1202	91, 92, 93, 527, 529, 530
1211(b)	97
1212	530
1221	232, 517, 518
1222	526
1231	19, 95, 232, 286, 373, 480, 482, 496, 516, 517, 518
1231(b)	357, 483, 484
1232	232
1232(a)(2)	476
1234	599
1234(c)(1)	599
1235	53, 302
1237	53
1239	19, 49, 53
1242	454, 455
1243	454, 455
1244	454, 455, 457, 461, 481, 489, 490, 491, 492, 496, 497, 499, 500, 501, 502, 503
1244(a)	489, 499, 591
1244(b)	489, 500
1244(c)	495, 496
1244(c)(1)	489, 497, 498
1244(c)(1)(B)	497
1244(c)(1)(C)	498
1244(c)(1(D)	497
1244(c)(2)	489, 497
1244(c)(2)(A)	492, 493, 494, 495
1244(c)(2)(B)	492, 493, 494, 497, 503
1244(d)	489
1244(d)(1)	501
1244(d)(2)	498
1244(d)(3)	501
1301	285, 303
1302	303
1303	303
1304	303
1305	303
1341	53
1361	52, 365
1371	359, 414, 427, 428, 432
1371(a)	427, 432, 458, 590
1371(a)(1)	427
1371(a)(2)	427, 432
1371(a)(3)	428
1372	356
1372(a)	428
1372(b)	466
1372(e)	432, 466, 590
1372(e)(1)(B)	470
1372(e)(2)	462, 486
1372(e)(3)	432, 462
1372(e)(4)	428
1372(e)(5)	428, 495
1372(f)	432, 462, 464
1373	465
1373(b)	428, 429, 463, 468
1373(c)	428, 429, 465
1373(d)	463
1373(e)	477
1374(a)	473, 590
1374(c)	590
1374(c)(1)	473, 474
1374(c)(2)	591
1374(c)(2)(A)	475
1374(c)(2)(B)	475
1374(d)	591
1374(d)(1)	474, 591
1374(d)(2)	474, 591
1375(a)(1)	478
1375(b)	463
1375(c)	468
1375(d)	468
1375(d)(1)	465
1375(d)(2)(A)	463, 464, 471
1375(d)(2)(B)	471, 477
1376(a)	428, 429, 464
1376(b)	475
1376(b)(1)	478
1377	359, 414
1377(a)	464
1402(a)	71
1402(c)	71
1441	213, 214, 216
1442	213, 214, 216
1504	414, 539, 540
1551	52
2001	221
2031(a)	221
2032	422
2032(a)(1)	422
2035	134
2037	312
2039	292, 312, 313, 314
2039(a)	311, 313
2039(c)	76, 290, 295, 296, 309, 310, 313, 314, 315
2041	312
2042	314
2042(2)	149
2052	223
2053	424

1954 I.R.C. §	PAGE
2055(a)	223
2057	315
2103	221
2106(a)(3)	224
2503	133
2513(d)	440
2517	290, 292, 314
2523	133
6012(a)(1)	437
6013	444
6013(a)	101, 441
6013(d)	149
6013(d)(2)	441
6013(d)(3)	440
6014(b)	448
6037	414
6038	414
6061	442
6064	442
6161	413
6166	413
6201(c)	446
6211	546
6212(a)	555
6213(a)	554, 555, 556, 557
6215	546
6321	143, 144, 145, 146, 148
6324(a)(2)	149
6501(b)(1)	444
6501(c)(4)	148
6501(e)(1)(A)	439
6503	413
6513(a)	444
6601	413
6651(a)	438
6653(a)	440
6653(b)	440
6851	149
6861	149, 546
6861(a)	555, 556, 557
6863(b)(3)	549, 565
6901	138, 142, 144, 146, 147
6901(a)(1)(A)(i)	138, 141, 146, 147
6901(h)	149
6902(a)	147
7421	554, 555, 556, 564
7422	417
7701	367
7701(a)(2)	366, 371
7701(a)(3)	363
7701(a)(17)	441
7701(a)(26)	572
7806(b)	282

U. S. TREASURY REGULATIONS REFERENCE TABLES

Regulations Under Laws Prior to the Internal Revenue Code of 1954

T.R. §	PAGE
Regulations 111	
29.23(m)–16	376, 380, 381, 382, 383, 387, 541
29.23(m)–16(b)(1)(i)	381, 382, 383, 385, 536
29.23(m)–16(b)(2)(iv)	387
29.23(m)–16(b)(4)	383
29.51–1(b)(1)	442
Regulations 118	
39.23(m)–1(b)	507
39.23(m)–1(c)(5)	506
39.23(m)–1(e)(1)	509
39.23(m)–1(e)(5)	509
39.23(m)–1(g)	509
39.23(m)–2	511
39.23(m)–9(a)	511
39.23(m)–9(b)	511
39.23(m)–10(c)	375, 515
39.23(m)–10(e)	377
39.502–1(k)	531
39.3739–1	363
39.3791–1	363
39.3795–5	371
39.3797–3	363
39.3797–5	367

Regulations Under the Internal Revenue Code of 1954

T.R. §	PAGE
1.61–12(a)	230, 235, 250
1.61–12(b)	230, 248
1.61–12(c)	230, 232, 242, 243
1.101–2(e)(1)(ii)	309
1.108(a)–(1)(a)	276.
1.108(a)–(1)(a)(2)	274
1.108(b)–1(c)	237
1.118–1	251
1.162–1(a)	579
1.162–2(b)(1)	594
1.162–5(a)	571
1.162–5(b)	571
1.162–5(e)	571
1.166–3(a)	233
1.167(a)–5	536
1.167(e)–1	512
1.167(h)–1	512
1.170–1(b)	524
1.174–2(a)(1)	575
1.212–1	581
1.212–1(b)	583
1.248–1(b)(1)	595
1.248–1(b)(2)	595
1.270–1(a)(4)	530
1.270–1(b)(4)	530
1.301(m)	235
1.301–1(1)	164, 189, 190
1.303–2(f)	424
1.316–2(e)	357
1.318–3(a)	423
1.355–1(c)	189
1.355–1(d)	189
1.368–2(d)(1)	173
1.306–3(d)	167, 179
1.312–6(b)	430
1.332–2(b)	280
1.354–1(e)	163
1.355–1(c)(1)	577
1.368–1(c)	158
1.368–2(b)	156
1.368–2(c)	160
1.371–1(a)(4)	268
1.402(a)–1(a)(4)	314
1.402(a)–1(b)(2)(c)	305
1.402(b)–1(a)	301
1.403(b)–1(a)	301
1.404(a)–4(b)	297
1.404(a)–5(b)	297
1.404(a)–6(a)	297
1.404(a)–10	295
1.404(a)–12	292
1.442–1(c)(1)	481
1.503(c)–1(b)	319
1.503(c)–1(c)	319
1.543–1(b)(11)(ii)	531
1.641(b)–3(b)	86, 87, 88, 90, 95, 108
1.641(b)–3(c)	88, 89, 92
1.642(h)–1(a)	95
1.642(h)–1(b)	95, 96
1.642(h)–2(a)	96
1.642(h)–2(b)	96

T.R. §	PAGE
1.642(h)–3(a)	95
1.642(h)–5	97
1.643(a)–3(a)(2)	93, 105
1.643(a)–3(d)	93, 105
1.643(b)–3	101
1.643(b)–3(b)	90
1.651(a)–2	89
1.652(b)–3(b)	91
1.652(c)–2	99, 101, 470, 474
1.661(a)–2(f)	105
1.661(a)–2(f)(3)	106
1.662(a)–4	120, 121
1.662(c)–2	99, 101, 474
1.662(c)–4(e)	91
1.663(a)–1(a)	105
1.663(c)–1(b)	98
1.663(c)–1(d)	99, 103
1.663(c)–3(c)	97, 102, 104
1.665(b)–1	122
1.665(b)–2(b)(1)	122
1.665(b)–2(b)(1)(iii)(g)	107
1.665(b)–2(b)(2)	123
1.665(b)–2(b)(4)	107
1.665(d)–1(b)	107
1.671–1(c)	132
1.671–3(a)(1)	119
1.673(a)–1	119
1.673(a)–1(c)	113, 114
1.673(b)–1	116
1.673(b)–1(b)	116
1.673(d)–1	115
1.674(b)–1	125
1.674(b)–1(b)(1)	124
1.674(b)–1(b)(2)	125
1.674(b)–1(b)(3)	125
1.674(b)–1(b)(4)	125
1.674(b)–1(b)(5)(i)	126
1.674(b)–1(b)(5)(ii)	126
1.674(b)–1(b)(6)	127, 128
1.674(b)–1(b)(7)	127
1.674(c)–1	126, 127
1.675–1	131
1.677(a)–1(g)	119
1.706–1(c)(3)(ii)	474
1.706–1(c)(3)(v)	470
1.731–1(c)(2)	236
1.753–1(b)	100
1.753–1(c)	100
1.761–1(a)(2)(iii)(c)	535
1.1016–2	516
1.1016–3(a)(3)	516
1.1017–1(a)(5)	277
1.1017–1(a)(6)	277
1.1017–1(b)(5)	234
1.1017–1(b)(7)	264
1.1031(a)–1(b)	525
1.1031(d)–2	525
1.1033(a)–2(c)(9)(i)	525
20.2031–2(h)	433
20.2039–1(b)(1)	312
20.2039–1(b)(2)	312
20.2039–1(d)	312
20.2039–2(b)	295, 310
20.2104–1(3)	222
601.201(e)	289
601.201(i)	291
601.201(j)	291
601.201(k)	289

Regulations Proposed Under the Internal Revenue Code of 1954

T.R. §	PAGE
1.62–1(c)(1)	524
1.62–1(c)(6)	524
1.62–1(c)(7)	524
1.62–1(c)(8)	524
1.101(b)	309
1.101–2(d)(2)	309
1.165–1(a)(2)	513, 589
1.165–1(c)	513
1.165–3(c)	513
1.301(m)	235
1.401–1(b)(1)(iv)	293
1.453–6(a)(2)	227
1.531–1.537	576
1.611–1(b)	507
1.611–2	511
1.611–2(c)(1)	511
1.611–2(c)(2)	511
1.611–5(a)	512
1.612–1	511
1.612–1(a)	595
1.612–3(a)	515
1.612–3(b)(3)	377
1.612–4	382
1.612–4(a)(2)	386, 536
1.613–2(c)(5)	506
1.613–2(c)(5)(ii)	509
1.613–2(c)(5)(iii)	509
1.613–3(a)	509
1.613–4	509
1.632–1	518
1.641(b)–3(c)(2)	92
1.1371	456
1.1371–1(g)	473
1.1372	456

T.R. §	PAGE
1.1372–1	484
1.1372–2	458
1.1372–3	458
1.1372–3(b)	470
1.1372–4(b)(2)	458
1.1372–4(b)(3)	462
1.1372–4(b)(5)	458, 496
1.1373	456
1.1373–1(b)	463
1.1373–1(c)	463
1.1373–1(d)	465
1.1374	456, 462
1.1374–1(a)	477
1.1374–1(b)(2)	474
1.1374–2	474, 590
1.1375	456
1.1375–1(d)	484
1.1375–2	463
1.1375–4(b)	463, 465, 467
1.1375–4(e)	464
1.1376	456
1.1376–1	464
1.1377–1	456, 464
20.2039–1(d)	314
20.2039–2(a)	314
25.2512–5(e)	114